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The President

EXECUTIVE ORDER 9361

SUPPLEMENTING THE EXECUTIVE ORDER ESTABLISHING THE OFFICE OF WAR MOBILIZATION AND PROVIDING FOR THE UNIFYING OF FOREIGN ECONOMIC AFFAIRS

By virtue of the authority vested in me by the Constitution and the Statutes of the United States, particularly by the First War Powers Act, 1941, as President of the United States and as Commander in Chief of the Army and Navy; and in order to provide for the more effective unification of the agencies concerned with foreign economic affairs, it is hereby ordered as follows:

1. The Board of Economic Warfare, existing pursuant to paragraph 2 of Executive Order No. 8839,¹ July 30, 1941, as amended by Executive Order No. 8982,² December 17, 1941, is terminated. There is established in the Office for Emergency Management an Office of Economic Warfare, at the head of which shall be a Director, appointed by the President, who shall exercise the functions, powers and duties of the Board of Economic Warfare. The Director shall receive such salary, travel, subsistence or other allowances as the President may determine.

There are transferred to the Office of Economic Warfare for use in connection with the exercise and performance of its functions, powers and duties so much of the unexpended balances, appropriations, allocations and other funds now available for, as well as all the personnel, property and records heretofore used in the administration of the functions, powers and duties of, the Board of Economic Warfare.

No part of any funds appropriated or made available under Public 139, approved July 12, 1943 shall be used, directly or indirectly, after August 15, 1943, by the Office of Economic Warfare for the procurement of services, supplies, or

equipment outside the United States except for the purpose of executing general economic programs or policies formally approved in writing by a majority of the War Mobilization Committee and such writing has been filed with the Secretary of State prior to any such expenditure.

2. The United States Commercial Company, the Rubber Development Corporation, the Petroleum Reserve Corporation and the Export-Import Bank of Washington and their functions, powers and duties, together with the functions, powers and duties of the Reconstruction Finance Corporation and of the Secretary of Commerce with respect to them are transferred to the Office of Economic Warfare. All personnel, property, records, funds (including all unexpended balances of appropriations, allocations or other funds now available) contracts, assets, liabilities and capital stock of these corporations, together with so much of the personnel, records, and property of the Reconstruction Finance Corporation used in the administration of these corporations as the Director of the Bureau of the Budget shall determine, are transferred with these corporations to the Office of Economic Warfare for use in connection with the exercise and performance of its functions, powers and duties. The Director of the Office of Economic Warfare may reconstitute the Boards of Directors of these corporations and take such other action as he deems necessary in respect of them to carry out the purposes of this Order.

3. (a) Until such time as the Congress shall provide other means of financing, the Secretary of Commerce and the Reconstruction Finance Corporation are authorized and directed to supply necessary funds to the corporations transferred to the Office of Economic Warfare by this Order through loans, using for this purpose all the borrowing powers and unobligated funds of the Reconstruction Finance Corporation. Such funds shall be supplied at such times and in such amounts and in such manner and upon such terms and conditions as the Director of War Mobilization, on the

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¹ 6 F.R. 3823.

² 6 F.R. 6530.



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request of the Director of the Office of Economic Warfare, may from time to time determine. The disbursement of the funds so supplied shall be under the exclusive direction of the Director of the Office of Economic Warfare, except as otherwise provided in this Order.

(b) The functions, powers and duties and outstanding contracts and obligations relating to activities and transactions in or pertaining to foreign countries, now vested in, or in the name of, any corporation created and organized under Section 5 (d) of the Reconstruction Finance Corporation Act, or of any other corporation organized by the Reconstruction Finance Corporation, shall, unless the Director of War Mobilization otherwise determines, be transferred to the corporation or corporations designated by the Director of the Office of Economic Warfare, and the charter and by-laws of the corporations affected by such transfers, so far as necessary, shall be amended accordingly. Following such transfers, no corporations created and organized by the Reconstruction Finance Corporation, other than those transferred to the Office of Economic Warfare by this Order, shall exercise any of its powers and functions in regard to any activity or transaction in or pertaining to any foreign country except as ordered by the Director of War Mobilization. The Secretary of Commerce, the Reconstruction Finance Corporation, and any corporation organized by it, shall execute and deliver all instruments which may be deemed necessary by the Director of War Mobilization to carry out the provisions of this Order.

4. The functions of the Office of War Mobilization shall include the authority

to arrange for the unification and coordination of the activities of the Federal Government relating to foreign supply, foreign procurement and other foreign economic affairs in conformity with the foreign policy of the United States as defined by the Secretary of State. In providing for such unification the Office of War Mobilization may utilize the facilities of other departments and agencies, including the machinery for the coordination of foreign economic affairs established in the Department of State. 5. All prior Executive orders and directives in so far as they are in conflict herewith are amended accordingly.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 15, 1943.

[F. R. Doc. 43-11437; Filed, July 16, 1943; 10:55 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

ORDER SUSPENDING A CERTAIN PROVISION

Order suspending a certain provision of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the provision of such order for a reduction in the Class I price of milk sold under a program approved by the Secretary of Agriculture and upon which payment is made out of Federal funds does not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is therefore ordered, That, effective as of 12:01 a. m., e. w. t., August 1, 1943, § 927.4 (a) (2) of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, is hereby suspended.

Done at Washington, D. C., this 16th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-11434; Filed, July 16, 1943; 11:18 a. m.]

PART 952—MILK IN THE SHREVEPORT, LOUISIANA, MARKETING AREA

HANDLING OF MILK

It is hereby found and determined that the above entitled order regulating the handling of milk in the Shreveport, Louisiana, marketing area, issued by the

Secretary of Agriculture on November 23, 1940,¹ and effective on and after the 1st day of December 1940, no longer tends to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended.

It is, therefore, ordered, That said order regulating the handling of milk in the Shreveport, Louisiana, marketing area is hereby terminated.

Done at Washington, D. C., this 15th day of July, 1943.

PAUL A. PORTER,
Acting War Food Administrator.

[F. R. Doc. 43-11403; Filed, July 15, 1943
3:33 p. m.]

Chapter XI—War Food Administration

[FDO 10, Amdt. 2]

PART 1432—RICE

SALE AND DISTRIBUTION

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of rice for defense, for private account and for export; and, therefore, the following amendment to Food Distribution Order No. 10, issued by the Secretary of Agriculture January 21, 1943 (8 F.R. 1076), as amended, is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1432.1 *Restrictions on sale and distribution of rice—(a) Definitions.* (1) "Person" means any individual, or any partnership, association, corporation, or other business entity, or any State, Territorial, Municipal, County, or other local government, or instrumentality or subdivision thereof, or any agency of the United States other than a governmental agency.

(2) "Governmental agency" means (i) the Armed Services of the United States (excluding, for purposes of this order, United States Army post exchanges, United States Navy ships' service departments, and United States Marine Corps post exchanges); (ii) the Food Distribution Administration, War Food Administration (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any contract school or ship operator, as defined in Food Distribution Regulation 2 (8 F.R. 7523), which purchases rice in accordance with said regulation.

(3) "Armed Services of the United States" means the Army, the Navy, Marine Corps, or Coast Guard of the United States.

(4) "Director" means the Director of Food Distribution, War Food Administration, or any employee of the War Food Administration, designated by such Director.

(5) "First owner" means any person, including a miller, who, on the effective date of this order, is the original owner

of brown, undermilled, or milled rice, or who becomes the original owner of any such rice.

(6) "Miller" means any person who converts rough rice into brown, undermilled, or milled rice.

(7) "Rough rice" means the commodity defined by the "United States Standards for Rough Rice", as amended May 15, 1942.

(8) "Brown rice" means the commodity defined by the "United States Standards for Brown Rice", as amended May 15, 1942.

(9) "Undermilled rice" means rice from which all of the hull and part of the bran and germ have been removed.

(10) "Milled rice" means the commodity defined by the "United States Standards for Milled Rice", as amended June 1, 1943: *Provided*, That, as used in paragraph (b) (2) of this order, the term "milled rice" shall not include Screenings milled rice or Brewers milled rice.

(b) *Restrictions.* (1) No person shall sell or otherwise dispose of, except to a governmental agency, or use more than fifty-five percent of the total quantity of brown, undermilled, or milled rice as to which he is, at any time, the first owner; and every person shall set aside for sale to a governmental agency milled rice of the grade No. 4 or better of one of the classes I to X inclusive, in an amount equal to forty-five percent of the brown, undermilled, or milled rice as to which he is, at any time, the first owner. Sales of other grades or classes of brown, undermilled, or milled rice to a governmental agency by a first owner may be credited against the amount of rice he is required to set aside. All rice set aside may be offered for sale by the first owner at no more than ceiling prices established by the Office of Price Administration to a governmental agency in response to announcements or notices by such agency that offers for the sale of such rice will be received on specified dates.

(2) No first owner shall sell, ship, consign, or deliver brown, undermilled, or milled rice to persons within any State or the District of Columbia in amounts which will result in his total deliveries to persons within such State or the District during the year August 1, 1943, to July 31, 1944, exceeding eighty-five percent of the quantity of such rice delivered by him to persons in such State or the District during the year August 1, 1941, to July 31, 1942.

(c) *Exemptions from restrictions of paragraph (b) (1).* (1) The Director may, upon application of any first owner, authorize such first owner to deliver to persons other than governmental agencies brown, undermilled, or milled rice and to credit such deliveries against the quantity of milled rice required to be set aside for sale to governmental agencies, when satisfactory evidence is submitted to the Director that the brown, undermilled, or milled rice so delivered is to be subsequently delivered to a governmental agency in the form of rice or a product thereof.

(2) The Director may upon application of any first owner authorize such first owner for a designated period of

time to deliver to persons other than governmental agencies all of the brown, undermilled, or milled rice as to which he is a first owner during such period, on condition that such first owner will during a designated later period of time set aside for sale to governmental agencies a sufficient quantity of milled rice of the grade No. 4 or better of one of the classes I to X inclusive, to constitute forty-five percent of the total brown, undermilled, or milled rice as to which he is a first owner during such periods.

(d) *Transfer, establishment, reduction or increase of quotas under paragraph (b) (2).* (1) The Director may upon application of any first owner authorize the transfer of such first owner's quota or any part thereof with respect to any State or the District, to another first owner, upon submission of satisfactory proof that both first owners have agreed to such transfer and the first owner whose quota is transferred agrees to refrain from delivering brown, undermilled, or milled rice under such quota to the extent that it has been transferred.

(2) The Director may establish a quota for, or reduce or increase the quota of, any first owner, for any State or the District of Columbia, if he determines that such action is necessary to insure the efficient and proper distribution of the available supply of rice.

(e) *Applicability of restrictions.* (1) The restrictions contained in this order shall be observed without regard to existing contracts or any payments made or any action taken thereunder.

(2) The restrictions contained in this order shall not apply to rice owned by any individual for use in his own household.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of rice of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(g) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order. Every person subject to this order shall maintain accurate and complete records concerning inventories, production and sales for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(h) *Bureau of the Budget Approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the

¹ 5 F.R. 2808, 4701; 7 F.R. 5931.

Budget pursuant to the Federal Reports Act of 1942.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director of Food Distribution, War Food Administration, Washington, D. C., setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the War Food Administrator, United States Department of Agriculture, Washington, D. C., Ref. FD-10.

(k) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using rice, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(m) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., August 1, 1943. With respect to any violations of said Food Distribution Order No. 10, as amended, or rights accrued, liabilities incurred, or appeals taken under said order, prior to the effective time of the provisions of this amendment, said Food Distribution Order No. 10 as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 14th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-11369; Filed, July 15, 1943; 11:17 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 26 of Part 600]

PART 600—DESIGNATION OF CIVIL AIRWAYS REDESIGNATION AND DELETION OF CERTAIN CIVIL AIRWAYS

JULY 5, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of civil airways: Green Civil Airways Nos. 2, 6; Amber Civil Airways Nos. 1, 6; Red Civil Airways Nos. 2, 5, 7, 10, 23; Blue Civil Airways Nos. 2, 21; deletion of Blue Civil Airway No. 17.

1. By striking in § 600.10001 *Green Civil Airway No. 2 (Seattle, Wash., to Boston, Mass.)* the words:

"Belgrade, Mont., radio range station;" and substituting in lieu thereof the following:

"Bozeman, Mont., radio range station;" and inserting after the words:

"Buffalo, N. Y., radio range station;" the following:

the intersection of the center lines of the on course signals of the east leg of the Buffalo, N. Y., radio range and the southwest leg of the Rochester, N. Y., radio range; Rochester, N. Y., radio range station; the intersection of the center lines of the on course signals of the southeast leg of the Rochester, N. Y., radio range and the west leg of the Syracuse, N. Y., radio range;

2. By amending § 600.10005 *Green Civil Airway No. 6 (Alice, Tex., to Norfolk, Va.)*, to read as follows:

§ 600.10005 *Green Civil Airway No. 6 (Alice, Tex., to Norfolk, Va.)*. From the Alice, Tex., radio range station, via the Houston, Tex., radio range station; Beaumont, Tex., radio range station; Lake Charles, La., radio range station; New Orleans, La., radio range station; Mobile, Ala., radio range station; Maxwell Field, Ala., radio range station; the intersection of the center lines of the on course signals of the east leg of the Maxwell Field, Ala., radio range and the southwest leg of Atlanta, Ga., radio range; Atlanta, Ga., radio range station; Spartanburg, S. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Spartanburg, S. C., radio range and the west leg of the Charlotte, N. C., radio range; the intersection of the center lines of the on course signals of the north leg of the Charlotte, N. C., radio range and the southwest leg of the Greensboro, N. C., radio range; Greensboro, N. C., radio range station; Blackstone, Va., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Blackstone, Va., radio range and the southwest leg of the Richmond, Va., radio range; Richmond, Va., radio range

station; and the Norfolk, Va., radio range station to the Municipal Airport, Norfolk, Va.

3. By inserting after the words:

"and the Long Beach, Calif., radio range station," in § 600.10100 *Amber Civil Airway No. 1 (San Diego, Calif., to Nome, Alaska)*, the following:

to the Los Angeles, Calif. radio range station.

4. By striking in § 600.10105 *Amber Civil Airway No. 6 (Jacksonville, Fla., to U. S.-Canadian Border)* the following portion of the caption:

U. S.-Canadian Border.

and substituting in lieu thereof the following:

Niagara Falls, N. Y.

and deleting the following:

the Buffalo, N. Y., radio range station; and the intersection of the center lines of the on course signals of the northeast leg of the Buffalo, N. Y., radio range and the southeast leg of the Toronto, Ontario, radio range, to the intersection of the center line of the on course signal of the southeast leg of the Toronto, Ontario, radio range and the U. S.-Canadian Border.

and substituting in lieu thereof the following:

and the Buffalo, N. Y., radio range station to the Niagara Falls Airport, Niagara Falls, N. Y.

5. By striking in § 600.10201 *Red Civil Airway No. 2 (Whitehall, Mont., to Belgrade, Mont.)* the following portion of the caption:

Belgrade, Mont.

and substituting in lieu thereof the following:

Bozeman, Mont.

6. By amending § 600.10204 *Red Civil Airway No. 5 (Sioux Falls, S. Dak., to Minneapolis, Minn.)* to read as follows:

§ 600.10204 *Red Civil Airway No. 5 (Sioux Falls, S. Dak., to St. Paul, Minn.)* From the Sioux Falls, S. Dak., radio range station, via the Minneapolis, Minn., radio range station to the St. Paul Airport, St. Paul, Minn.

7. By amending § 600.10206 *Red Civil Airway No. 7 (Spartanburg, S. C., to Greensboro, N. C.)* to read as follows:

§ 600.10206 *Red Civil Airway No. 7 (Atlanta, Ga., to Greensboro, N. C.)*. From the intersection of the center lines of the on course signals of the south leg of the Greenville, S. C., radio range and the southwest leg of the Spartanburg, S. C., radio range, via the Greenville, S. C., radio range station to the intersection of the center lines of the on course signals of the east leg of the Greenville, S. C., radio range and the southwest leg of the Spartanburg, S. C., radio range. From the intersection of the center lines of the on course signals of the northeast leg of the Spartanburg, S. C., radio

range and the west leg of the Charlotte, N. C., radio range, via the Charlotte, N. C., radio range station to the intersection of the center lines of the on course signals of the north leg of the Charlotte, N. C., radio range and the southwest leg of the Greensboro, N. C., radio range.

8. By striking in § 600.10209 *Red Civil Airway No. 10 (Amarillo, Tex., to Charleston, S. C.)* the following:

"to the Atlanta, Ga., radio range station." and substituting in lieu thereof the following:

to the intersection of the center lines of the on course signals of the southeast leg of the Birmingham, Ala., radio range and the southwest leg of the Atlanta, Ga., radio range.

9. By amending § 600.10222 *Red Civil Airway No. 23 (Buffalo, N. Y., to New York, N. Y.)* to read as follows:

§ 600.10222 *Red Civil Airway No. 23 (U. S.-Canadian Border to New York, N. Y.)*. From the intersection of the center line of the on course signal of the southeast leg of the Toronto, Ontario, radio range and the U. S.-Canadian Border, via the intersection of the center lines of the on course signals of the southeast leg of the Toronto, Ontario, radio range and the northeast leg of the Buffalo, N. Y., radio range; the intersection of the center lines of the on course signals of the east leg of the Buffalo, N. Y., radio range and the northwest leg of the Elmira, N. Y., radio range and the Elmira, N. Y., radio range station to the New York, N. Y. (New York, LaGuardia Field), radio range station.

10. By striking in § 600.10301 *Blue Civil Airway No. 2 (Birmingham, Ala., to Erie, Pa.)* the following:

From the intersection of the center lines of the on course signals of the east leg of the Birmingham, Ala., radio range and the southwest leg of the Chattanooga, Tenn., radio range,

and substituting in lieu thereof the following:

From the Birmingham, Ala., radio range station via the intersection of the center lines of the on course signals of the north leg of the Birmingham, Ala., radio range and the southwest leg of the Chattanooga, Tenn., radio range,

11. By deleting § 600.10316 *Blue Civil Airway No. 17 (Blythe, Calif., to Kingman, Ariz.)*

12. By adding a new § 600.10320 *Blue Civil Airway No. 21 (Pittsburgh, Pa., to Erie, Pa.)* to read as follows:

§ 600.10320 From the intersection of the center lines of the on course signals of the northwest leg of the Pittsburgh, Pa., radio range and the south leg of the Youngstown, Ohio, radio range, via the Youngstown, Ohio, radio range station; to the intersection of the center lines of the on course signals of the north leg of the Youngstown, Ohio, radio range; and the southwest leg of the Erie, Pa., radio range.

This amendment shall become effective 0001 e. w. t., July 15, 1943.

C. I. SARTON,
Administrator.

[F. R. Doc. 43-11423; Filed, July 16, 1943;
9:40 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank Administration

[Bulletin 25]

PART 6—FEDERAL HOME LOAN BANK ADMINISTRATION

DUTIES OF EXECUTIVE OFFICERS

JULY 15, 1943.

Section 6.2 of the Rules and Regulations for the Federal Home Loan Bank System is hereby amended, effective July 15, 1943, by striking out paragraphs (a), (b), (c), (d), and (e) in their entirety and by inserting the following in lieu thereof:

§ 6.2 *Organization*—(a) *The Governor, Federal Home Loan Bank System.* The Governor of the Federal Home Loan Bank System shall be the Chief Executive and Administrative Officer, directly responsible to the Federal Home Loan Bank Commissioner for the examination of, supervision over and administration of the banks, pursuant to regulations prescribed by the Federal Home Loan Bank Administration and as directed by it. Officials of the banks and the public shall deal directly with the Governor in all administrative matters pertaining to the Federal Home Loan Bank System. The Governor shall be responsible for the examination of and such supervision over member institutions as is provided by the Act, other Federal statutes and the regulations issued thereunder. Such examination and supervision shall be accomplished through such staff as may be necessary in Washington, D. C., and in the field through duly designated agents or representatives of the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation.

(b) *Assistant Governors.* The Assistant Governors of the Federal Home Loan Bank System shall cooperate with and assist the Governor in the examination, supervision and administration of the banks, other and related activities of the Federal Home Loan Bank System, and the examination of and supervision over member institutions. In the absence of the Governor, an Assistant Governor duly designated by him, shall act in his stead.

(c) *Chief Examiner.* The Chief Examiner shall be responsible, under the direction of the Governor, for the examination of Federal savings and loan associations, other insured institutions and other member institutions. The Chief Examiner shall also perform such other duties as may be assigned to him by the Governor.

(d) *Comptroller.* The Comptroller of the Federal Home Loan Bank Administration shall be responsible, under the direction of the Governor, for the exercise of supervision over the operations of the banks, their accounting systems and procedures, and the semi-annual examinations thereof. The Comptroller shall also be responsible for the fiscal operations of the Federal Home Loan Bank Administration, including jurisdiction over all receipts and disbursements, and the maintenance of the necessary accounting and other records in connection therewith. The Comptroller shall also perform such other duties as may be assigned to him by the Governor.

(e) *Chief Supervisor.* The Chief Supervisor shall be responsible, under the direction of the Governor for such purpose, for the appropriate supervision over all member institutions. The Chief Supervisor shall also perform such other duties as may be assigned to him by the Governor.

(f) *General Counsel.* The General Counsel shall be responsible for the legal affairs of the Federal Home Loan Bank Administration and shall give advice and render such other legal services as may be appropriate in connection with the Federal Home Loan Bank System.

(Secs. 17, 19, 47 Stat. 736, 737; sec. 9, 49 Stat. 295; sec. 5 (a), 48 Stat. 132; sec. 402 (a), (c), 48 Stat. 1256; 12 U.S.C. 1437, 1439, 1464 (a), 1725 (a), (c), and Sup.)

This amendment is deemed to be of a minor and procedural character within the provisions of paragraph (b) of § 8.3 of the Rules and Regulations for the Federal Home Loan Bank System.

[SEAL] JAMES TWOHY,
Governor.
HAROLD LEE,
General Counsel.
OSMOND E. LOOMIS,
Executive Assistant to the
Commissioner.

[F. R. Doc. 43-11402; Filed, July 15, 1943;
2:55 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 162, 2d Ed.]

PART 622—CLASSIFICATION

MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (a) and (b) of § 622.15 to read as follows:

§ 622.15 *Class I-C: Member of land or naval forces of United States.* (a) In Class I-C shall be placed or retained:

(1) Every registrant who is, or who by induction, enlistment, or appointment becomes, a commissioned officer, warrant officer, field clerk, pay clerk, or enlisted man of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the Federally recognized active National Guard, the Officers' Reserve Corps, the Army of the United States, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve (other than temporary), or any other branch or component of the land or naval forces; or

(2) Every registrant who is a cadet of the United States Military Academy, a midshipman of the United States Naval Academy, or a cadet of the United States Coast Guard Academy; or

(3) Every registrant who has been separated from the land or naval forces by death at any time; or

(4) Every registrant who has been separated from the land or naval forces by honorable discharge based on physical or mental disability: *Provided*, The classification of such registrant may be reopened and he may be placed in a class immediately available for service under the provisions of Part 633.

(b) When the local board receives authentic information that a registrant is in the land or naval forces, he shall be classified in Class I-C without regard to the manner in which he entered such land or naval forces.

2. Amend § 622.42 to read as follows:

§ 622.42 *Class IV-B: Officials deferred by law and men relieved from liability for training and service.* In Class IV-B shall be placed any registrant who is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, a judge of a court of record of the United States or of a State; or who is a commissioned officer in the Coast and Geodetic Survey; or who is a commissioned officer in the Public Health Service or the Public Health Service Reserve, whether on active duty or in an inactive status; or who is a cadet of the advanced course, senior division, of the Reserve Officers' Training Corps or the Naval Reserve Officers' Training Corps; or who has been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as a cadet or to the United States Naval Academy as a midshipman or to the United States Coast Guard Academy as a cadet, but only during the continuance of such acceptance.

3. Amend the regulations by adding a new section to be known as § 622.82 to read as follows:

§ 622.82 *Identifying administratively rejected registrants.* Whenever a selected man has been found acceptable for limited military service at the induction station but is not immediately inducted, his classification shall not be

changed but he shall be identified in all records by following his classification with the letter "(L)." If such registrant is in Class I-A, he shall be identified thus, "Class I-A (L)." If such registrant is in Class I-A-O, he shall be identified thus, "Class I-A-O (L)."

4. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 15, 1943.

[F. R. Doc. 43-11407; Filed, July 15, 1943;
4:31 p. m.]

[Amdt. 163, 2d Ed.]

PART 633—DELIVERY AND INDUCTION

MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 633.13 to read as follows:

§ 633.13 *Classification when man is inducted.* Upon receiving notice from the induction station that a selected man has been inducted, he shall be placed in Class I-C.

2. Amend the regulations by adding a new section to be known as § 633.13-1 to read as follows:

§ 633.13-1 *Identification of man accepted for limited service but not inducted.* (a) Upon receiving notice from the induction station that a selected man has been found acceptable for limited military service but is not immediately inducted, the local board will not change his classification but will identify him in all records by following his classification with the letter "(L)." Such a registrant may again be forwarded to the induction station by the local board under instructions issued by the Director of Selective Service.

(b) If the local board determines there has been a change in the status of such a registrant before he is again ordered to report for induction, it will reopen such registrant's classification and classify him in the usual manner.

3. Amend the regulations by adding a new section to be known as § 633.13-2 to read as follows:

§ 633.13-2 *Classification of man not accepted.* (a) Upon receiving notice from the induction station that a selected man has not been accepted because he is disqualified for service in the land or naval forces, the local board shall reopen his classification and classify him in Class IV-F unless he is a man who was honorably discharged from the land or naval forces based on physical or mental disability, in which

case the local board shall classify him in Class I-C.

(b) The classification of a registrant who has been placed in Class IV-F or Class I-C under the provisions of paragraph (a) of this section may be reopened subject to such provisions of §§ 633.14 and 633.15 as may be applicable to such registrant.

4. Amend § 633.14 to read as follows:

§ 633.14 *Classification of man separated from the land or naval forces.* (a) The local board shall not change the classification of a registrant separated from the land or naval forces by death but shall note the facts in the Classification Record (Form 100), on the registrant's Cover Sheet (Form 53), and on his Registration Card (Form 1).

(b) When a man has been separated from the land or naval forces by honorable discharge based on physical or mental disability, the local board shall, if the man is a registrant, retain him in Class I-C or, if the man was not a registrant at the time of his separation but thereafter registers, classify him in Class I-C. The classification of a registrant retained or placed in Class I-C under the provisions of this paragraph may be reopened and consideration may be given to classifying him anew. If, after reopening the classification of such a registrant, it is determined that he is qualified for a deferred classification, he shall be retained in Class I-C. If it is determined that he should be placed in a class available for service, the provisions of § 633.15 shall be complied with before such registrant is so classified.

(c) When a man has been separated from the land or naval forces for any cause other than those stated in paragraph (a) or (b) of this section, the local board shall, if the man is a registrant, reopen his classification and classify him anew or, if the man was not a registrant at the time of his separation but thereafter registers, classify him in the usual manner. If, in classifying a registrant under the provisions of this paragraph, it is determined that he should be placed in a class available for service, the local board shall comply with instructions issued by the Director of Selective Service pertaining to such registrants before such registrant is so classified.

5. Amend the regulations by adding a new section to be known as § 633.15 to read as follows:

§ 633.15 *Instructions concerning separated or disqualified men.* (a) A registrant who has been separated from the land or naval forces or who has not been accepted at the induction station because he is disqualified for military service shall be placed in a class available for service only after instructions pertaining to such registrants issued by the Director of Selective Service have been complied with, including, when applicable, forwarding the registrant to a member or members of the medical advisory board for special physical examination.

(b) It shall be the duty of the registrant (1) to comply with any directions given by the local board in carrying out the instructions of the Director of Selective Service, (2) to report to and be

examined by a member or members of the medical advisory board when directed to do so by the local board, and (3) to comply with such directions and to submit to such examination as the member or members of the medical advisory board shall deem necessary to make a complete determination of the registrant's physical condition.

6. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 15, 1943.

[F. R. Doc. 43-11408; Filed, July 15, 1943;
4:31 p. m.]

[Amdt. 164, 2d Ed.]

**PART 651—DETERMINATION OF ACCEPTABILITY OF PERSONS FOR WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION
LOCAL BOARD ACTION FOLLOWING FINAL-TYPE PHYSICAL EXAMINATION OF CLASS IV-E REGISTRANTS**

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) and add paragraphs (c), (d), and (e) to § 651.10 to read as follows:

§ 651.10 *Action of local board following final-type physical examination of Class IV-E registrants.* * * *

(b) When the Report of Physical Examination and Induction (Form 221) indicates that a registrant in Class IV-E is physically, mentally, or otherwise disqualified for service, the local board will reopen his classification and classify him in Class IV-F.

(c) The classification of a registrant who has been placed in Class IV-F under the provisions of paragraph (b) of this section may be reopened and consideration may be given to classifying him anew; *Provided, however,* That such a registrant shall not again be placed in a class available for service until instructions pertaining to such registrants issued by the Director of Selective Service have been complied with, including, when applicable, forwarding the registrant to a member or members of the medical advisory board for special physical examination.

(d) It shall be the duty of the registrant (1) to comply with any directions given by the local board in carrying out the instructions of the Director of Selective Service, (2) to report to and be examined by a member or members of the medical advisory board, and (3) to comply with such directions and to submit to such examination as the member or members of the medical advisory board shall deem necessary to make a complete

determination of the registrant's physical condition.

(e) When a registrant has been classified in Class IV-F under the provisions of paragraph (b) of this section, the Surgeon General's Copy and the National Headquarters' Copy of the Report of Physical Examination and Induction (Form 221) of each such registrant will be forwarded to the State Director of Selective Service who will forward both copies to the Director of Selective Service, and the Armed Forces' Original and the Local Board's Copy of the Report of Physical Examination and Induction (Form 221) will be filed in the registrant's Cover Sheet (Form 53).

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 15, 1943.

[F. R. Doc. 43-11409; Filed, July 15, 1943;
4:31 p. m.]

[Amdt. 165, 2d Ed.]

PART 653—WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

RECEPTION AT CAMPS AND SEPARATION CLASSIFICATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (e) and add paragraphs (f) and (g) to § 653.11 to read as follows:

§ 653.11 *Reception at camps.* * * *

(e) Upon receiving notice that a registrant has been accepted for work of national importance, the local board shall not change his classification but shall note the fact of his acceptance for such work upon the Classification Record (Form 100).

(f) Upon receiving notice that a registrant has been rejected for work of national importance, the local board shall reopen his classification and classify him in Class IV-F.

(g) The classification of a registrant who has been placed in Class IV-F under the provisions of paragraph (f) of this section may be reopened subject to the provisions of paragraphs (c) and (d) of § 651.10.

2. Amend the regulations by adding a new section to be known as § 653.11-1 to read as follows:

§ 653.11-1 *Classification when separated from work of national importance.* (a) The local board shall not change the classification of a registrant separated from work of national importance by death but shall note the facts in the Classification Record (Form 100),

on the registrant's Cover Sheet (Form 53), and on his Registration Card (Form 1).

(b) When a registrant has been separated from work of national importance by any cause other than death, the local board shall reopen his classification and classify him anew. If, in classifying a registrant under the provisions of this paragraph, it is determined that he should be placed in a class available for service, the local board shall comply with instructions issued by the Director of Selective Service pertaining to such registrants before such registrant is so classified, including, when applicable, forwarding the registrant to a member or members of the medical advisory board for a special physical examination.

(c) It shall be the duty of the registrant (1) to comply with any directions given by the local board in carrying out the instructions of the Director of Selective Service, (2) to report to and be examined by a member or members of the medical advisory board when directed to do so by the local board, and (3) to comply with such directions and to submit to such examination as the member or members of the medical advisory board shall deem necessary to make a complete determination of the registrant's physical condition.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 15, 1943.

[F. R. Doc. 43-11410; Filed, July 15, 1943;
4:31 p. m.]

[No. 195]

MEDICAL IDENTIFICATION CARD

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 210, entitled "Medical Identification Card," effective immediately upon the filing hereof with the Division of the Federal Register.¹

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 21, 1943.

[F. R. Doc. 43-11495; Filed, July 15, 1943;
4:31 p. m.]

¹Form filed as part of the original document.

[No. 196]

DELIVERY LIST

ORDER REVISING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, U.S.C., Sup. 301-318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 151, entitled "Delivery List," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of DSS Form 151 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 30, 1943.

[F. R. Doc. 43-11406; Filed, July 15, 1943;
4:31 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1Q, as Amended
July 1, 1943¹]

RATIONING OF TIRES, TIRE CASINGS, TIRE TUBES, ETC.

Further delegation of authority with reference to the rationing of tires, tire casings, tire tubes, tire retreading and recapping materials, gasoline and passenger automobiles.

§ 903.22 *Supplementary Directive 1Q.*

(a) The authority heretofore delegated to the Office of Price Administration by Directive No. 1, § 903.1, is hereby extended to include the exercise of control over:

(1) The sale, transfer, delivery or other disposition of all tires, tire casings, tire tubes, tire retreading and recapping materials, and used passenger automobiles by or to any person:

(2) The use, alteration, mounting, or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, and passenger automobiles by any person, and

(3) The sale, transfer, delivery or other disposition of gasoline by any person to any consumer; the use of gasoline by any consumer, the use of gasoline substitutes or gasoline blends by any consumer in a motor vehicle, and the blending of gasoline by any gasoline dealer; and

(4) The sale, transfer, delivery or other disposition of gasoline by any per-

son to any person other than a consumer, to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition.

(5) The importation by any person, for the personal use of such person, of tires, tire tubes and tire casings.

(b) The authority of the Office of Price Administration shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, gasoline and passenger automobiles to, or acquisition, use, alteration, mounting or other disposition of said materials and facilities by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The authority delegated by this order does not include the power to limit or restrict:

(1) The quantity of the materials and facilities referred to herein obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such materials or facilities for export to and consumption or use in any foreign country; and

(2) The manufacture of tires, tire tubes, tire casings, tire retreading, and recapping materials and passenger automobiles or the manufacture, processing, distilling or refining of gasoline; and

(3) The importation, use, sale, transfer, delivery or other disposition of airplane tires, airplane tire casings, or airplane tire tubes.

(4) The importation for testing purposes of tires, tire tubes or tire casings by any manufacturer of camelback, tires, tire tubes or tire casings; and

(5) The importation of bicycle tires, tire tubes or tire casings manufactured in the continental United States, Canada or the British Isles; and

(6) The importation from the Dominion of Canada of tires, tire tubes or tire casings manufactured in the continental United States, Canada or the British Isles; and

(7) The importation of tires, tire tubes or tire casings by diplomatic representatives of any foreign Government, for their personal use or the use of members of their staffs; and

(8) The importation of tires, tire tubes or tire casings by commercial representatives of any foreign Government, for use in their official business.

(d) As used herein:

(1) "Passenger automobile" means a passenger automobile of any model, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten persons, irrespective of the number of miles it has been driven (or the chassis of such automo-

bile), including taxis, but not including ambulances, hearses and station wagons.

(2) "Used passenger automobile" means any 1941 or earlier model passenger automobile which has been driven 1000 miles or more.

(3) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having a flash point below 100° Fahrenheit (closed cup test, ASTM D-56-36), except: (i) fuel oil as defined in Ration Order No. 11, naphthas, aromatics, synthetic rubber raw materials, solvents or specialties, not used or blended for use as fuel in internal combustion engines, (ii) any finished petroleum product having an octane rating of 85 or more (ASTM D-357-42T) or any component thereof, used for the propulsion of aircraft, and (iii) liquefied petroleum gases.

(4) "Motor vehicle" means any rubber-tired, self-propelled conveyance the motive power for which is furnished by an internal combustion engine designed for operation by gasoline and which is built primarily for the purpose of transporting persons or property.

(5) "Tire, tire tube, tire casing, and tire recapping and retreading materials" mean any of the foregoing made in whole or in part of any kind of rubber.

(6) "Rubber" means any form or type of natural, reclaimed, or synthetic rubber, or other similar materials.

(7) "Person" includes any individual, partnership, corporation, association, business trust, government or government agency, or any organized group of persons whether incorporated or not.

(8) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material, or compound other than gasoline. The term includes dealers and distributors to the extent that they use gasoline, or acquire gasoline for use rather than for transfer.

(9) "Gasoline dealer" means any person engaged in the business of selling or transferring gasoline, except a person who transfers, receives, or uses gasoline in such a manner as to be required to account for the state motor fuel taxes imposed thereon directly to the motor fuel tax administration of a state.

(e) This supplementary directive supersedes the delegation of authority to the Office of Price Administration made by Supplementary Order M-15-c, § 940.4, as amended, Supplementary Directive No. 1-B, § 903.3, as amended, and Supplementary Directive No. 1-H, § 903.9, as amended: *Provided, however*, That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant thereto or pursuant to said supplementary directives as originally issued, is hereby ratified, approved and confirmed, and the authority so delegated shall continue to remain in full force and effect with respect to all such action which is not inconsistent with the terms of this directive, for all purposes including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter com-

¹ Form filed as part of the original document.

² This document is a restatement of Amendment 1 to Supplementary Directive 1-Q which appeared in the FEDERAL REGISTER of July 13, 1943, page 9492, and reflects the order in its completed form as of July 1, 1943.

menced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; Sec. 2 (a), Pub. No. 671, 76th Cong., as amended by Pub. No. 89, 77th Cong., and by Pub. No. 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; W.P.B. Reg. No. 1, 7 F.R. 561, as amended, 7 F.R. 2126)

Issued this first day of July, 1943.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 43-11433; Filed, July 16, 1943;
10:12 a. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3, as Amended July 16, 1943]

UNIFORM METHOD OF APPLICATION AND EXTENSION OF PREFERENCE RATINGS

§ 944.23 *Priorities Regulation 3—(a) Definitions.* For the purposes of this regulation:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under the authority of the War Production Board, of the right to use such rating.

(4) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the War Production Board, and includes the initial issuance by any governmental agency, under authority of the War Production Board, of a preference rating certificate rating a delivery or the use of facilities directly to or for such agency.

(5) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(b) *General provisions.* (1) Any person may apply a preference rating assigned to him by any regulation, preference rating certificate or preference rating order issued to him in his name or as one of a class, and, subject to the provisions of this regulation, any person may extend any rating which has been applied or extended to deliveries to be made by him.

(2) A preference rating may be applied by a person to whom it is assigned only to the specific quantities and kinds of material authorized (or to the mini-

mum required amounts of material when no specific quantities are authorized) or to the particular use of facilities specified.

(3) No person shall duplicate, in whole or in part, purchase orders which he has placed with one or more suppliers for delivery of material to which he has applied or extended a rating, in such manner that the amount of the material ordered exceeds the amount to which he is authorized to apply or extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(c) *Restrictions upon the application or extension of ratings for the use of facilities.* Ratings may be applied or extended to obtain the use of facilities only, in the following cases:

(1) A rating which has been specifically assigned by the War Production Board to permit a named person to obtain the use of specified facilities only may be applied only by the person named and only to obtain the use of the specified facilities.

(2) When a person is authorized to apply or extend a rating to obtain material which he will deliver (or which will be physically incorporated in material to be produced or delivered) he may apply or extend the same rating to obtain the processing by a concern regularly engaged in such business of the material to be produced or delivered or of material which will be physically incorporated therein, regardless of the fact that the material to be so processed may be the property of the customer for whom the processing is to be done. As used in this paragraph (c) (2) the term "processing" includes manufacturing and fabricating operations which are incidental to the production of finished material, but does not include processing of goods after their production is completed. For example, it includes industrial dyeing for manufacturers when such dyeing is incidental to the preparation of goods or material for sale but does not include the dyeing of clothing after it has been sold by the manufacturer.

(3) A person to whom a rating has been applied or extended pursuant to paragraphs (c) (1) and (2) to obtain the use of his facilities only may not extend the rating for any purpose. The person applying or extending a rating for the use of facilities only shall place upon the purchase order an endorsement substantially as follows: "For the use of facilities only; may not be extended by you for any purpose".

(d) *Extension of ratings for material.* The following provisions of this paragraph (d) shall be applicable to all extensions of preference ratings originally applied by any person to obtain deliveries of material, notwithstanding any inconsistent provisions of the preference rating certificate or preference rating order assigning the rating. No preference rating may be extended to the delivery of any material except:

(1) Material which will itself be delivered by the person extending the rating on a delivery bearing the rating

which is being extended, or which will be physically incorporated into material to be so delivered, including the portion of such material normally consumed or converted into scrap or byproducts in the course of processing; or

(2) Material which is required to replace in inventory material so delivered or incorporated. Material shall not be deemed to be required if the delivery can be made and a practicable working minimum inventory of such material still retained; and if, in making delivery, the inventory is reduced below such minimum, the rating may be extended to replace such material only to the extent necessary to restore the inventory to such minimum: *Provided, however,* That the material ordered for replacement must be substantially the same as the material delivered or incorporated in the material delivered, subject only to minor variations in size, shape or design or substitutions of less scarce materials, which in any case do not substantially alter the purpose for which the same is to be used.

A person may not extend a rating to any materials in excess of the quantities specified in this paragraph (d), nor to materials for plant improvement, expansion or construction, to machine tools or other capital equipment, to business machines whether purchased or leased, or to maintenance, repair or operating supplies.

(e) *CMP Regulation 3 and Priorities Regulation 11.* Nothing contained in paragraphs (b) or (d) above shall be deemed to enlarge or limit or to alter in any way any of the provisions or restrictions contained in CMP Regulation 3 (§ 3175.3) or Priorities Regulation 11 (§ 944.32).

(f) *Restrictions upon application and extension of ratings.* The following provisions are designed to eliminate or limit the use of preference ratings with respect to certain materials and products as to which such use is inappropriate because of adequate supply, specialized needs or other particular factors:

(1) *Items as to which preference ratings have no effect: List A.* Any item on List A attached to this regulation may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which MRO ratings do not apply: List B.* Items on List B attached to this regulation are not subject to preference ratings assigned by any regulation or order of the War Production Board for maintenance, repair or operating supplies (including CMP Regulation 5 and CMP Regulation 5A), and no person shall apply or extend any such rating for such a purpose. Ratings assigned for purposes other than maintenance, repair and operating supplies may, however, be used to acquire items on List B. If any person receives an order for any item on List B bearing a rating assigned for maintenance, repair

or operating supplies (as shown by the symbol MRO or other prescribed identification, or which he otherwise knows to have been assigned for that purpose) he shall not give effect to such rating, and such rating shall be void.

(3) *Illustration* A manufacturer of a product listed on Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to obtain the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(4) *Items to which only ratings assigned under specified orders apply: List C.* No person may apply or extend any preference rating to the delivery of any item on List C attached to this regulation, unless the rating is assigned or authorized by the particular order specified after that item on the list. No person shall give any effect to any rating in delivering any such item unless the purchase order bears the specific endorsement or certification required by the order assigning the rating; or, if no such endorsement or certification is required by the order, unless the purchase order bears a notation substantially as follows: "This rating has been assigned by Order No. -----".

(g) *Method of application or extension.* (1) Any person authorized to apply or extend preference ratings may do so:

(i) On a written contract or order by endorsing on or attaching to it a certification in substantially the form prescribed by CMP Regulation No. 7 (Section 3175.7), or substantially as follows, if preferred:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser and PRP Certificate No. if Purchaser is a PRP Unit)

(Address)

By -----
(Signature and Title of Duly Authorized Officer)

(Date)

The certification which is used shall be signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for that purpose.

(ii) On a purchase order placed by telegram, by including in the telegram the following abbreviated certification: "Ratings certified". The requirements for manual signature or authorization under Priorities Regulation No. 7 (§ 944.27) will be satisfied in such case

if the copy of the outgoing telegram retained by the person placing the order is signed or authorized in the manner provided in that regulation.

(iii) On a purchase order placed by telephone and requiring shipment within seven days, by stating to the supplier at the time of placing the order the substance of either certification authorized in subdivision (i) of this paragraph (g) (1): provided, however, in such case, that the person making the statement is an official duly authorized to make such certification, and the person making the statement furnishes to the supplier within fifteen days after placing the purchase order confirmation in writing describing the material ordered and bearing a certification of such preference rating substantially in one of the forms authorized by subdivision (i) of this paragraph (g) (1). No preference rating received by telephone shall be extended by the supplier to replace in inventory any material delivered, until receipt by the supplier of the written confirmation herein required. On or before the twentieth day of each month, any supplier who has received in the prior month a preference rating applied or extended by telephone shall notify the War Production Board, Compliance Division, of any case in which a purchaser has failed to furnish to him the written certification when due.

(iv) The person receiving the certification and rating shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Each person applying or extending a rating must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to apply or extend such rating, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. In addition thereto, each person applying or extending a rating shall execute and file with the War Production Board all reports and questionnaires required by the applicable preference rating certificate or preference rating order and such other reports and questionnaires as said Board shall from time to time request.

(2) Such certification may be used in lieu of any other form of certification required by the terms of any regulation, preference rating order or preference rating certificate (including, without limitation, the instructions accompanying Forms PD-1A, PD-3A and PD-25A) as a means of applying or extending a preference rating and in lieu of furnishing any copy of any preference rating order required thereby; except that the provisions of Priorities Regulation No. 9 (§ 944.30) with respect to the method of applying (but not extending) preference ratings covering certain types of exports must be complied with when ratings are applied pursuant to that regulation.

(3) Notwithstanding the requirements of any applicable preference rating order or certificate,

(i) A person may defer extending any rating for a period of not more than three months after he becomes entitled to extend the same;

(ii) Ratings of the same grade assigned by different preference rating certificates or orders may be combined and extended to a single delivery; and

(iii) Ratings of different grades, whether assigned by the same or different preference rating certificates or orders, may be extended to deliveries under a single purchase order provided the amount of each material to which a particular grade of rating is extended is shown either as a separate item, or on a percentage basis where the material involved is of such type and in such quantities that the supplier can readily determine, from percentage figures alone, the exact effect of the extension of the rating on his production and delivery schedule. To the extent necessary to avoid production or delivery of material in quantities smaller than the minimum commercially practicable, items to which ratings of different grades might be extended may be combined and the rating of the lowest grade extended to the total production or delivery.

(4) In addition to complying with the foregoing requirements of this paragraph (g), any person applying or extending a preference rating shall include on his purchase order or contract such information (except designation of the number or serial number of the preference rating certificate or preference rating order assigning the rating) as may be required by the terms of any applicable order of the War Production Board and which the person placing the purchase order is able to furnish.

(h) *Applicability of other restrictions.* Except as expressly otherwise provided in paragraphs (d) and (g) of this regulation, the application or extension of any rating shall be subject to any applicable restrictions contained in any order of the War Production Board assigning the preference rating in question or regulating transactions in the material or the use of the facilities involved, including, without limitation, restrictions as to the kind and amount of material to which preference ratings may be applied or extended, requirements of countersignature or other written approval of particular transactions, and restrictions on the use of material or facilities.

(i) *Effect on existing certificates and orders.* All existing forms of preference rating certificates issued by or under authority of the Office of Production Management or the War Production Board are continued in full force and effect, and additional certificates on such forms may continue to be issued by the persons now or hereafter authorized to issue the same until such authority is revoked or amended, subject to the provisions of this and other regulations of the War Production Board. All certificates and all existing orders of the Office of Production Management or the War Production Board are to be deemed amended by this regulation only where and to the

extent that the provisions of this regulation indicate that it is to control.

Issued this 16th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to preference ratings of any kind:

1. Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:
 - a. Anti oxidants (gum inhibitors) for motor fuels.
 - b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.
 - c. Chemical additives and compound bases for hypoid gear oils.
 - d. Synthetic catalysts for oil cracking operation.
 - e. Synthetic catalysts for cumene and codimer manufacture.
 - f. Synthetic catalysts for petroleum isomerization operations.
 - g. Synthetic catalysts for petroleum sweetening operations.
2. Communications services.
3. Dental burs.
4. Dental units and dental chairs.
5. Electric energy.
6. [Revoked]
7. Gas, manufactured.
8. Gas, natural.
9. Petroleum—restricted products as defined in Order M-201.
10. Steam heating, central.
11. Sterilizer equipment, as defined in Order L-266.
12. Track-laying Tractor Repair Parts (See Limitation Order L-53-b).
13. Ice.
14. Tobaccos.
15. Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).
16. Sulfated, sulfonated, and sulfurized fats and oils.
17. Tall oil.
18. Wool grease.
19. Soap (other than metallic).
20. Fatty acids.
21. Glycerine.

LIST B

NOTE: Item 43 added; item 31 deleted; items 16, 20 and 30 amended, July 16, 1943.

Preference ratings assigned to the delivery of maintenance, repair and operating supplies may not be used to obtain the following items:

1. Anti-freeze, all types.
2. Automotive maintenance equipment as defined in Limitation Order L-270.
3. Automotive replacement batteries as defined in Limitation Order L-180.
4. Automotive replacement parts as defined in Limitation Order L-158.
5. Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick, or cellulose caps or bands of any gauge.
6. Chinaware.
7. Clocks and watches.
8. Construction machinery costing in excess of \$100.00.
9. Containers, fabricated, other than shipping reels and skids (in knock-down or set-up forms whether assembled or unassembled) required for packaging products to be shipped or delivered, including but not limited to:
 - a. Cans, as defined in Order M-81.
 - b. Closures for glass containers.
 - c. Corrugated and solid fibre sheets not constituting "shipping containers" or "parts" as defined in Order P-140.
 - d. Fibre cans, fibre tubes (except shell containers), fibre bottles, and fibre mailing cases.
 - e. Folding and set-up boxes (paperboard).
 - f. Glass containers.
 - g. Grocers and variety bags.
 - h. Gummed stay and ceiling tape, paper and cloth.
 - i. Ice cream cans (paperboard), and paraffin cartons and pails.
 - j. Paper and paperboard bottle caps, closures and hoods.
 - k. Paper cups and paper food containers.
 - l. Paper milk containers.
 - m. Paper shipping sacks.
 - n. Specialty bags and envelopes, including bags partly or wholly made of transparent films.
 - o. Textile bags.
10. Cutlery, as defined in any order of the L-140 series.
11. Enameled ware, as defined by Limitation Order L-30-b.
12. Filing Cabinets, wooden.
13. Fire protective equipment, including
 - a. Couplings, playpipes and allied fittings;
 - b. Fire hose, hose dryers, racks and reels;
 - c. Fire hydrants;
 - d. Fire pumps;
 - e. Fire sprinkler systems;
 - f. Foam generators;
 - g. Indicator posts;
 - h. Lightning rod systems;
 - i. Piped extinguishing systems;
 - j. Portable fire extinguishers;
 - k. Stirrup pumps;
 - l. Water spray nozzles.
14. Frying pans.
15. Furniture for use in offices, factories or industrial establishments.
16. Galvanized ware governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).
17. Glass tableware.
18. Glass tumblers.
19. Kitchen ware, heavy duty:
 - a. Bakery utensils;
 - b. Butcher blocks;
 - c. Butcher benches;
 - d. Canopies or hoods;
 - e. Carriers, food;
 - f. Carriers, tray;
 - g. Coffee mills and grinders;
 - h. Counters, cafeteria, lunch and serving;
 - i. Cutters, meat, bone and fish;
 - j. Counter protectors;
 - k. Cutters, french fry;
 - l. Dispensers, milk and cream;
 - m. Dough dividers;
 - n. Dough troughs;
 - o. Display racks;
 - p. Knife sharpeners and grinders;
 - q. Pans, cold;
 - r. Potato mashers;
 - s. Potato and vegetable parers or peelers;
 - t. Racks, bread (bakery);
 - u. Racks, pans (bakery);
 - v. Racks, dump (bakery);
 - w. Sandwich units;
 - x. Slicers, meat and bread;
 - y. Toaster stands;
 - z. Trucks, food;
 - aa. Tables, cooks, chef, salad and work;
 - bb. Tables, soiled and clean dish;
 - cc. Tables, bakers;
 - dd. Tray stands;
 - ee. Urn stands.
20. Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

21. Laboratory instruments and equipment (except ratings assigned by Preference Rating Order P-43, P-63 and P-82-b).

22. Lockers, wooden, for offices and factories.

23. Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment), including:

- a. Anesthesia and oxygen equipment and accessories;
- b. Atomizers;
- c. Clinical thermometers;
- d. Crutches;
- e. Dental consumable supplies;
- f. Dental equipment and appliances;
- g. Diagnostic instruments and apparatus;
- h. Electric light bulbs for diagnostic instruments;
- i. Hearing aids;
- j. Hospital and medical rubber drug sundries;
- k. Hospital enamelware and stainless steel ware;
- l. Hypodermic needles and syringes;
- m. Operating and examining room furniture;
- n. Operating and examining room lights;
- o. Ophthalmic goods;
- p. Orthopedic appliances including splints, belts and trusses;
- q. Physical therapy equipment and supplies;
- r. Sterilizers;
- s. Surgical dressings;
- t. Suture needles;
- u. Sutures;
- v. X-ray equipment and supplies.

24. Medical, surgical and dental instruments.

25. Medicinal preparations, including vitamins.

26. Photographic film, sensitized, as controlled by Order L-233.

27. Pails and tubs, wooden, including wooden mop pails.

28. Printing and publishing:

- a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;
- b. Processed printing plates;
- c. Type metal, stereotyping metal and electrotype backing-metal;
- d. Printing paper, paperboard and binder board;
- e. Book cloth;
- f. Blankbook and loose-leaf binders, metal parts and units;
- g. Mechanical bindings.

29. Signal and alarm equipment, including:

- a. Central Station, proprietary, auxiliary and automatic fire alarms;
- b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.

30. Cast iron ware, as defined by Limitation Order L-30-c.

31. Wooden shelving.

32. Any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

- a. Air raid warnings or detection of the presence of enemy aircraft; or
- b. Blackouts or dimouts; or
- c. The protection of civilians, either individually or collectively, against enemy action or attack.

33. Flatware

34. Fuel

35. Pans, Fountain

36. Pencils, Mechanical

37. Pencils, Wood Cased

38. Pen Nibs, Steel

39. Pen Holders

40. Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

41. Cellulose caps or bands of any gauge.

42. Safety pins,

¹ Subject to FD Reg. No. 1 of the War Food Administration. Any rating purporting to be applied or extended on or after June 30, 1943 to any such item is void. However, delivery before July 20, 1943, under any rated orders placed before June 30, 1943 is expressly permitted.

LIST C

Only the ratings assigned or authorized by the particular orders specified may be used to obtain any of the following items:

1. Animal bristles and hair and products made primarily therefrom, M-328.
2. Closures, apparel. M-328; P-131.
3. Clothing, footwear, hats, gloves and all other outer or under garments or apparel, if made in whole or in part of leather or textile yarn, staple fiber or fabrics. M-328. This item is not intended to include the following types when specifically designed and used to furnish protection against specific occupational hazards (other than weather):
 - a. Asbestos clothing.
 - b. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.
 - c. Metal mesh gloves, aprons and sleeves.
 - d. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.
 - e. Plastic and fibre safety helmets.
 - f. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.
 - g. Safety industrial leather clothing other than gloves or mittens.
 - h. Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.
4. Combinations of cotton, wool or synthetic yarn, or cotton, wool or synthetic woven, felted, knitted or braided fabrics. M-73; M-148; M-166; M-298; M-328; P-131.
5. Containers: "Shipping Containers" or "Parts" as defined in Order P-140. P-140.
6. Cotton yarn or cotton woven, knitted or braided fabric. P-116; P-131; M-107; M-134; M-148; M-166; M-207; M-218; M-293; M-328; L-282.
7. Dyestuffs. M-328.
8. Eyelets, metal. M-328; P-131.
9. Findings, shoe. M-328.
10. Hides, skins, furs, leather and products made primarily from any of the foregoing, excepting transmission belting, hydraulic packing, mechanical and textile leather. M-328.
11. Sponges. M-328.
12. Synthetic yarn or synthetic woven, knitted or braided fabric. M-148; M-166; M-328; P-131.
13. Tacks, cut steel. M-328.
14. Textile or cordage fibers, (animal or vegetable) and products made primarily therefrom. M-328; M-85.
15. Wool, wool yarn or wool woven, knitted, felted or braided fabric. M-73; M-148; M-328; P-131.

INTERPRETATION 2

The restrictions on the use of ratings for the items on Lists A, B and C, which were added to the regulation by the amendment of June 4, 1943, apply to orders for such items which had been placed before June 4 but were not yet filled.

Paragraph (f) provides that no person shall give effect to any rating the use of which is restricted by that paragraph, in filling an order. It follows, therefore, that (1) all outstanding ratings on unfilled orders for items on List A are cancelled; (2) all outstanding ratings assigned for maintenance, repair or operating supplies which have been applied on unfilled orders for items on List B are cancelled; and (3) all outstanding ratings other than those specifically authorized by List C on unfilled orders for items on that list are cancelled. [Issued June 12, 1943]

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Preference ratings assigned to the delivery of maintenance, repair and operating supplies (MRO ratings) may be used to obtain repair parts and materials for existing fire protective equipment, but may not be used

to obtain end items of fire protective equipment. The term "Fire protective equipment", item 13 on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on MRO ratings. Similarly, MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, MRO ratings may not be used to repair or replace new equipment which is still usable. [Issued June 17, 1943]

[F. R. Doc. 43-11432; Filed, July 16, 1943; 10:12 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Direction 1 to Priorities Regulation 3, as Amended]

The following Direction is issued pursuant to Priorities Reg. 3 as amended.

Use of ratings assigned on Form WPB-837 (formerly PD-408) for maintenance, repair or operating supplies. Ratings assigned, for the third quarter of 1943 only, to governmental agencies and institutions on Form WPB-837 (formerly PD-408) for maintenance, repair and operating supplies may be used to the extent authorized on the form. The use of these ratings is permitted as an exception to the restrictions of paragraph (f) (2) of Priorities Regulation 3 which prohibits the use of ratings assigned for maintenance, repair or operating supplies for certain items set out on List B.

Issued this 16th day of July 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 43-11431; Filed, July 16, 1943; 10:12 a. m.]

PART 3032—FILM

[General Limitation Order L-178, as Amended July 16, 1943]

§ 3032.1 General Limitation Order L-178—(a) Definitions. For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of 35 mm. film by one person to any other person, but shall not include:

(i) Transfers of 35 mm. film from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control, located within the 48 states and

the District of Columbia of the United States of America;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of 35 mm. film to and from warehouses where no substantial change in right, title or ownership to such 35 mm. film is effected;

(iv) Transfers to and from carriers in order to effect the transfers specified in this paragraph;

(v) The following transfers of 35 mm. film when actually delivered to the second named persons within the 48 states and the District of Columbia of the United States of America:

(a) Eastman Kodak Company to J. E. Brulattour, Inc.

(b) Du Pont, E. I. de Nemours & Company to Smith & Aller, Ltd.

(c) Agfa Ansco to Agfa Raw Film Corporation.

(4) "Class A producer" means any of the following producing companies and their subsidiaries:

Columbia Pictures Corporation
Hollywood Square
Hollywood, California
Metro-Goldwyn-Mayer
Culver City, California
Paramount Pictures, Inc.
5451 Marathon Street
Hollywood, California
Radio-Keith-Orpheum Corporation
780 North Gower Street
Hollywood, California
Republic Pictures Corporation
4024 Radford Avenue
North Hollywood, California
Universal Pictures Company, Inc.
Universal City, California
Twentieth Century Fox Film Corporation
10201 West Pico Boulevard
Los Angeles, California
Warner Brothers Pictures, Inc.
400 West Olive Street
Burbank, California

(5) "Class B producer" means any person other than a Class A producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters, at least one of whose motion pictures produced during 1941 was distributed by any Class A or Class B distributor.

(6) "Class C producer" means any person other than a Class A or Class B producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters.

(7) "Class A distributor" means any of the following distributing companies and their subsidiaries:

Columbia Pictures Corporation
729 Seventh Avenue
New York, New York
Loew's Inc. (Metro-Goldwyn-Mayer)
1540 Broadway
New York, New York
Paramount Pictures, Inc.
1501 Broadway
New York City
Radio-Keith-Orpheum Corporation
1270 Sixth Avenue
New York, New York
Republic Pictures Corporation
1790 Broadway
New York, New York
Twentieth Century Fox Film Corporation
444 West 56th Street
New York, New York

Universal Pictures Company, Inc.
1250 Sixth Avenue
New York, New York
Vitagraph, Inc. (Warner Brothers)
321 West 44th Street
New York, New York

(8) "Class B distributor" means any of the following distributing companies and their subsidiaries:

Monogram Productions, Inc.
4376 Sunset Drive
Hollywood, California
Producers Releasing Corporation
1501 Broadway
New York, New York
United Artists Corporation
729 Seventh Avenue
New York, New York

(9) "Class C distributor" means any person other than a Class A or Class B distributor, who distributes 35 mm. prints of entertainment, factual, or special pictures for exhibition.

(10) "Expose", "exposing" or "exposed" includes, in addition to its normal meaning, to process by an imbibition method, such as technicolor.

(11) "Entertainment picture" means any picture, including a trailer for such picture, other than a factual or special picture or a newsreel.

(12) "Factual picture" means any picture whose main function is informational or instructional, including advertising and sales promotion pictures and newsreels produced by Class B newsreel producers, but not including special pictures or pictures whose main function is entertainment.

(13) "Newsreel" means any picture whose main function is to report news events.

(14) "Class A newsreel producer" means any of the following producing companies and their subsidiaries:

Paramount Pictures, Inc., producing Paramount News
Pathe News, Inc.
Universal Pictures Company, Inc., producing Universal Newsreel.
News-of-the-Day Newsreel, Inc.
Movietone News, Inc.
Time, Inc., producing the March of Time.

(15) "Class B newsreel producer" means any person other than a Class A newsreel producer who produces newsreels.

(16) "Special picture" means any picture (i) Produced for scientific research purposes, such as recording and measuring;

(ii) Produced for micro-filming purposes;

(iii) Produced for identification picture purposes;

(iv) Produced for such other special purposes as the War Production Board may from time to time specify.

(b) *Restrictions on transfers of 35 mm. film for exposure in connection with entertainment pictures.* (1) No person shall transfer any 35 mm. film to any other person whatsoever for exposure in connection with entertainment pictures, except (i) Motion picture laboratories and other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A or B distributors; or

(ii) With specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board, the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of the following persons exposing such film in connection with entertainment pictures:

(i) Any Class A producer and its Class A distributor in an amount not to exceed, in the absence of special circumstances, that specified in Schedule A of this order;

(ii) Any Class B distributor in an amount not to exceed, in the absence of special circumstances, that specified in Schedule A of this order;

(iii) Any Class B producer in such amounts as the War Production Board shall, from time to time, determine after taking into account the amounts of 35 mm. film which such Class B producer has obtained from, or, through a charge against the account of, any Class A or Class B distributor;

(iv) Any Class C producer or Class C distributor in an amount not to exceed, in the absence of special circumstances, 25% of the 35 mm. film exposed by or for the respective account of such Class C producer or Class C distributor during the calendar year 1941.

(3) In addition to the amount of 35 mm. film which the War Production Board will authorize to be transferred pursuant to paragraph (b) (2) of this order, the War Production Board will authorize the transfer of additional amounts of 35 mm. film to any Class A, B or C distributor in amounts equal to 50% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Army of the United States for distribution and exhibition by the Army of the United States in the preceding calendar quarter, and 100% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Navy of the United States for distribution and exhibition by the Navy of the United States in the preceding calendar quarter.

(c) *Restrictions on transfers of 35 mm. film for exposure in connection with factual pictures.* (1) No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with factual pictures except pursuant to (i) Such rules and regulations as the Bureau of Motion Pictures of the Office of War Information shall from time to time specify; or

(ii) The specific authorization of the War Production Board.

(2) During the three months period beginning April 1, 1943, and during each three months period thereafter until otherwise ordered, the War Production Board and the Bureau of Motion Pictures of the Office of War Information, unless there are special circumstances, shall not authorize the transfer of more 35 mm. film for exposure in connection with factual pictures than 25,150,000 linear feet.

(d) *Restrictions on transfers of 35 mm. film for exposure in connection with special pictures.* No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with special pictures except pursuant to the specific authorization of the War Production Board.

(e) *Restrictions on transfers of 35 mm. film for exposure by Class A newsreel producers.* (1) No person shall transfer any 35 mm. film for exposure by Class A newsreel producers in connection with newsreels produced by them, except (i) Motion picture laboratories or other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A newsreel producers; or

(ii) Pursuant to specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of Class A newsreel producers for exposure in connection with newsreels in an amount not to exceed, in the absence of special circumstances, the amount specified opposite such Class A newsreel producer's name in Schedule B of this order.

(f) *Restrictions on exposure of 35 mm. film by laboratories.* No motion picture laboratory or other service organization processing 35 mm. film shall expose any such film, except (1) For the account of any person who has been authorized by the Bureau of Motion Pictures of the Office of War Information to obtain a transfer of 35 mm. film;

(2) For the account of any Class A or Class B distributor or any Class A newsreel producer.

(3) For the account of any person who has been authorized by the War Production Board to obtain a transfer of 35 mm. film; or

(4) With the specific authorization of the War Production Board.

(g) *Applications for authorizations to transfer 35 mm. film.* Any person may apply to the War Production Board for a specific authorization to transfer 35 mm. film by executing and filing Form PD-763 with the Motion Picture and Photographic Section of the Consumers Durable Goods Division of the War Production Board, Washington, D. C.

(h) *Film authorizations effective only for 180 days.* All specific authorizations of the War Production Board granted pursuant to this order, heretofore or hereafter issued, shall remain in effect only for the 180 days following the date of authorization and shall have no force or effect thereafter, unless the particular authorization expressly states otherwise. This paragraph shall not apply to authorizations granted by the Bureau of Motion Pictures of the Office of War Information pursuant to paragraph (c) (1) (i) of this order.

(i) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Every motion picture laboratory and other service organization processing 35 mm. film shall execute and file with the War Production Board, Washington, D. C., Ref: L-178, on or before the 10th day following the close of each calendar month, Form PD-764.

(j) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeals.* Any appeal from the provisions of this order must be made on Form PD-500.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-178.

NOTE: Paragraphs (h), (i), (j), (k), (l) and (m) redesignated (i), (j), (k), (l), (m) and (n), July 16, 1943.

Issued this 16th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Linear feet
Columbia Pictures Corporation.....	30,253,296
Metro-Goldwyn-Mayer and Loew's, Inc.....	42,147,476
Monogram Productions, Inc.....	5,848,397
Paramount Pictures, Inc.....	30,722,843
Producers Releasing Corporation.....	5,500,000
Radio-Keith-Orpheum Corpora- tion.....	27,435,119
Republic Pictures Corporation.....	18,380,444
Twentieth Century Fox Film Cor- poration.....	31,803,298
United Artists Corporation.....	15,086,803
Universal Pictures Company, Inc.....	27,448,441
Warner Brothers Pictures, Inc. and Vitagraph, Inc.....	33,742,077

SCHEDULE B

Movietone News, Inc.....	12,121,701
News-of-the-Day Newsreel, Inc.....	11,685,076
Paramount Pictures, Inc., pro- ducing Paramount News.....	11,627,566
Pathe News, Inc.....	7,865,750
Time, Inc., producing the March of Time.....	2,164,195

Universal Pictures Company, Inc., Linear feet
producing Universal Newsreel... 7,085,524

[F. R. Doc. 43-11428; Filed, July 16, 1943;
10:12 a. m.]

PART 3147—PHOTOGRAPHIC FILM AND FILM BASE

[General Limitation Order L-233 as Amended
July 16, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials for film and film base for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3147.1 *General Limitation Order L-233—(a) Definitions.* For the purposes of this order:

(1) "Amateur-type still film" means roll films and 35 millimeter perforated films (whether packaged as cartridges, spools or in bulk) except 35 millimeter motion picture film.

(2) "Amateur-type motion picture film" means 8 and 16 millimeter reversal-type motion picture film.

(3) "Cut-sheet film" means film packaged in lots of individual flat pieces including film packs, but excluding X-ray film.

(4) "Group I products" means amateur-type still films and amateur-type motion picture films.

(5) "Group II product" means cut-sheet film.

(6) "Group III product" means 35 millimeter motion picture film.

(7) "Restricted film" means Group I, Group II and Group III products, and film base for such products.

(8) "Base period" means the calendar year 1941.

(9) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, engaged in the business of producing any film or film base whatsoever.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Government of Canada, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and government agencies or other persons acquiring film or film base for export to and consumption or use in, any foreign country.

(b) *General restrictions.* No manufacturer shall:

(1) On and after December 16, 1942, produce any restricted film other than for preferred orders except in accordance with the provisions of paragraph (c) of this order;

(2) On and after January 1, 1943, produce and sell, lease, trade, ship, lend or transfer any restricted film pursuant to

a preferred order except in accordance with the provisions of paragraph (d) of this order;

(3) On and after January 1, 1943, produce any film or film base other than restricted film, whether or not such production is pursuant to a preferred order except in accordance with the provisions of paragraph (e) of this order.

(c) *Limitations on production of restricted film other than for preferred orders.* (1) During the month of December, 1942, no manufacturer shall produce more film base (excluding preferred orders) intended to be used by any person for the production of finished Group I, Group II or Group III products than the following percentages of such film base (including preferred orders) produced by him during the base period:

(i) Film base for Group I products, 5%.

(ii) Film base for Group II product, 7%.

(iii) Film base for Group III product, 7%.

(2) During the month of December 1942, no manufacturer shall produce more finished Group I, Group II or Group III products (excluding preferred orders) than the following percentages of such finished film (including preferred orders) produced by him during the base period:

(i) Group I products, 5%.

(ii) Group II product, 7%.

(iii) Group III product, 7%.

(3) During the three months period beginning January 1, 1943, and for each three months period thereafter, no manufacturer shall produce more film base (excluding preferred orders) intended to be used by any person for the production of finished Group I, Group II or Group III products than the following percentages of such film base (including preferred orders) produced by him during the base period:

(i) Film base for Group I products, 12½%.

(ii) Film base for Group II product, 19%.

(iii) Film base for Group III product, 19%.

(4) During the three months period beginning January 1, 1943, and for each three months period thereafter, no manufacturer shall produce more finished Group I, Group II or Group III products (excluding preferred orders) than the following percentages of such finished film (including preferred orders) produced by him during the base period:

(i) Group I products, 12½%.

(ii) Group II product, 19%.

(iii) Group III product, 19%.

(5) On or after March 9, 1943, no manufacturer shall produce or transfer any restricted film pursuant to a preferred order except in accordance with the provisions of paragraph (d) of this order.

(d) *Limitations on production and delivery of restricted film for preferred orders.* On or before December 20, 1942, and on or before the first day of each third succeeding calendar month thereafter, each manufacturer shall file with the War Production Board a statement

in writing in quadruplicate which shall include:

(1) Such manufacturer's proposed production schedule of restricted film for preferred orders so far as then planned, but in any event, for not less than the next succeeding calendar quarter.

(2) His proposed delivery schedules of restricted film for preferred orders so far as then planned, but in any event for not less than the next succeeding calendar quarter.

The War Production Board shall notify manufacturers of its approval or disapproval of the production and delivery schedules for the calendar quarter or more covered in the report. Either at the time the schedule is initially filed by the manufacturer, or at any time thereafter, the War Production Board may change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any restricted film whether or not produced pursuant to a preferred order, to any other person, at the established price and terms. No manufacturer shall produce or deliver any restricted film pursuant to a preferred order, except in accordance with schedules approved or prescribed by the War Production Board as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board. In connection with the delivery of any Group III product, the War Production Board may direct that such Group III product be delivered in accordance with the restrictions contained in General Limitation Order L-178 as amended from time to time (§ 3032.1).

(e) Limitations on production of film and film base other than restricted film. On or before December 20, 1942, and on or before the first day of each third succeeding calendar month thereafter, each manufacturer shall file with the War Production Board a statement in writing in quadruplicate which shall include such manufacturer's proposed production schedule for any film or film base whatsoever (including preferred orders) other than restricted film so far as then planned, but in any event, for not less than the next succeeding calendar quarter.

The War Production Board shall notify manufacturers of its approval or disapproval of the production schedules for the calendar quarter or more covered in the report. Either at the time the schedule is initially filed by the manufacturer, or at any time thereafter, the War Production Board may change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production for any period, regardless of whether a schedule for such period, or any part

thereof, has been reported by the manufacturer, or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer. No manufacturer shall produce any film or film base whatsoever (including preferred orders) other than restricted film, except in accordance with schedules approved or prescribed by the War Production Board as above provided; and no manufacturer shall alter any such approved or prescribed production schedule unless authorized or directed to do so by the War Production Board.

(f) Special provision affecting the distribution of film. (1) All orders for film shall be filled as unrated orders except orders with ratings of AA-5 or higher where film is specifically mentioned on the form; assigned:

(i) On Form WPB-541 (formerly PD-1A);

(ii) On Form WPB-542 (formerly PD-3A);

(iii) On Form WPB-337 (formerly PD-408);

(iv) In accordance with procedures authorized for use by the Bureau of Supplies and Accounts (Navy), Coast Guard or other supply arm or bureau in place and instead of using Form WPB-542 (formerly PD-3A).

(2) No person who has received a rated order for film shall extend the rating unless the rating is AA-5 or higher and unless he is informed in writing by the person placing the order that the rating was expressly assigned in accordance with one of the forms or the procedures prescribed in this paragraph.

(3) Nothing in this paragraph (f) shall affect the distribution of the 35 mm. film controlled by Limitation Order L-178.

(g) Reports. (1) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref: L-233, on or before the 10th day following the close of each calendar month, Form PD-655.

(2) Every person affected by this order shall execute and file with the War Production Board such other reports and questionnaires as said Board shall from time to time request.

(h) Records. All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(i) Audit and inspection. All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) Avoidance of excessive inventories. No manufacturer shall accumulate for use in the production of any film or film base whatsoever, inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain

production of the rates permitted by this order.

(k) Violations. Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(l) Appeal. Any appeal from the provisions of this order should be made on Form PD-500, addressed to the War Production Board, Consumers' Durable Goods Division, Ref: L-233.

(m) Applicability of other orders. In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of any film or film base whatsoever, to a greater extent than the limits imposed by this order, such other order shall govern unless otherwise specified therein.

(n) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(o) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L-233.

Issued this 16th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11423; Filed, July 16, 1943;
10:12 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIAL PLAN

[CMP Regulation 5A, Direction 1]

LOCAL HOUSING AUTHORITIES

The following direction is issued pursuant to CMP Reg. 5A (§ 3175.5a).

The ratings and symbol assigned by CMP Regulation 5A shall not be used by any local housing authority to obtain maintenance, repair or operating supplies (including minor capital additions as defined in paragraph (b) (6) of said regulation). Local housing authorities may use the ratings and symbol assigned to the Federal Public Housing Authority to obtain maintenance, repair and operating supplies to the extent and in the manner that such use is specifically authorized by the Federal Public Housing Authority.

Issued this 16th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11430; Filed, July 16, 1943;
10:12 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RPS 88, Amdt. 117]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (b) (11) is amended to read as follows:

(11) (i) Notwithstanding any other provision of § 1340.159 (b), except as otherwise provided in this subparagraph (11), a seller's maximum tank wagon price at a particular point for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oils, and tractor and diesel fuel shall be the maximum price as determined under other provisions of this Schedule of the reference tank wagon seller named hereunder for the same grade at the same point provided the reference tank wagon seller's maximum price is higher than the maximum price which would otherwise be applicable.

(ii) (a) Where deliveries are made within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York, any seller's maximum price for tank wagon and returnable steel barrel deliveries of gasoline to a consumer of any class shall be as follows:

(1) For tank wagon deliveries in single lots of 250 gallons or more to a purchaser whose semi-annual requirements, as hereinafter defined, for bulk delivery are:

(i) 10,000 gallons and up to 60,000 gallons the maximum commercial consumer's tank wagon price, as determined under other provisions of this price schedule, of the reference tank wagon seller named hereunder.

(ii) Under 10,000 gallons one-half cent ($\frac{1}{2}\text{¢}$) per gallon in addition to the maximum price established under (i).

(iii) 60,000 gallons or more one-quarter cent ($\frac{1}{4}\text{¢}$) per gallon less than the maximum price established under (i).

(2) For tank wagon deliveries in single lots of less than 250 gallons, one cent (1.0¢) per gallon in addition to the maximum price of the reference tank wagon seller, named hereunder, for single lot deliveries of 250 gallons or more.

(3) For returnable steel barrel deliveries, 3¢ per gallon in addition to the maximum commercial consumer's tank wagon price as determined under other provisions of this price schedule of the reference tank wagon seller named hereunder.

(b) Where deliveries are made within the States of New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, any seller's maximum price for tank wagon and returnable steel barrel deliveries of gasoline to

a consumer of any class shall be as follows:

(1) For tank wagon deliveries in single lots of 250 gallons or more to a purchaser whose semi-annual requirements as hereafter defined for bulk delivery are:

(i) Under 10,000 gallons, the maximum commercial consumer's tank wagon price as determined under other provisions of this price schedule of the reference tank wagon seller named hereunder.

(ii) 10,000 gallons and up to 60,000 gallons, one-half cent ($\frac{1}{2}\text{¢}$) per gallon less than the maximum price established under (i).

(iii) 60,000 gallons and more, three-quarters cent ($\frac{3}{4}\text{¢}$) per gallon less than the maximum price established under (i).

(2) For tank wagon deliveries in single lots of less than 250 gallons, one cent (1.0¢) per gallon in addition to the maximum price of the reference tank wagon seller, named hereunder, for single lot deliveries of 250 gallons or more.

(3) For returnable steel barrel deliveries, two cents (2.0¢) per gallon in addition to the maximum commercial consumer's tank wagon price as determined under other provisions of this price schedule of the reference tank wagon seller named hereunder.

(iii) For the purpose of this section, a consumer's semi-annual requirements

of gasoline shall be the sum of all lawful ration allotments for bulk delivery only converted to semi-annual basis in effect to a given consumer as of January 1 for the first six months, and July 1 for the last six months of any calendar year.

It shall be the responsibility of the purchaser to provide reasonable proof to the seller as to the amount of the purchaser's semi-annual gasoline requirements for bulk delivery as calculated in the manner prescribed above. In the event that the purchaser fails to provide the seller with reasonable proof of the purchaser's annual gasoline requirements for bulk delivery as prescribed above, then such purchaser shall be presumed to have semi-annual gasoline requirements for bulk delivery of less than 10,000 gallons.

(iv) For a product of a particular seller to be regarded as of the same grade as a product of the reference seller, it must customarily have been so regarded in trade practice at the point of sale and it must be a product that has customarily been sold in competition with the product of the reference seller.

(v) The companies hereinafter named are the reference tank wagon sellers for any point in the Continental United States, in the state, states or districts set out opposite the name of the company: *Provided*, That such company has an applicable maximum price for such point:

For any point in the State of:

	Reference tank wagon sellers
Alabama	Standard Oil Company of Kentucky.
Arizona	Standard Oil Company of California.
Arkansas	Standard Oil Company of Louisiana.
California	Standard Oil Company of California.
Colorado	Continental Oil Company.
Connecticut	Socony-Vacuum Oil Company, Inc.
Delaware	The Atlantic Refining Company.
District of Columbia	Standard Oil Company of New Jersey.
Florida	Standard Oil Company of Kentucky.
Georgia	Standard Oil Company of Kentucky.
Idaho	Continental Oil Company.
Illinois	Standard Oil Company of Indiana.
Indiana	Standard Oil Company of Indiana.
Iowa	Standard Oil Company of Indiana.
Kansas	Standard Oil Company of Indiana.
Kentucky	Standard Oil Company of Kentucky.
Louisiana	Standard Oil Company of Louisiana.
Maine	Socony-Vacuum Oil Company, Inc.
Maryland	Standard Oil Company of New Jersey.
Massachusetts	Socony-Vacuum Oil Company, Inc.
Michigan	Standard Oil Company of Indiana.
Minnesota	Standard Oil Company of Indiana.
Mississippi	Standard Oil Company of Kentucky.
Missouri	Standard Oil Company of Indiana.
Montana	Continental Oil Company.
Nebraska	Standard Oil Company of Nebraska.
Nevada	Standard Oil Company of California.
New Hampshire	Socony-Vacuum Oil Company, Inc.
New Jersey	Standard Oil Company of New Jersey.
New Mexico	Continental Oil Company.
New York	Socony-Vacuum Oil Company, Inc.
North Carolina	Standard Oil Company of New Jersey.
North Dakota	Standard Oil Company of Indiana.
Ohio	Standard Oil Company of Ohio.
Oklahoma	Continental Oil Company.
Oregon	Standard Oil Company of California.
Pennsylvania	Atlantic Refining Company.
Rhode Island	Socony-Vacuum Oil Company, Inc.
South Carolina	Standard Oil Company of New Jersey.
South Dakota	Standard Oil Company of Indiana.
Tennessee	Standard Oil Company of Louisiana.
Texas	The Texas Company.
Utah	Continental Oil Company.
Vermont	Socony-Vacuum Oil Company, Inc.
Virginia	Standard Oil Company of New Jersey.
Washington	Standard Oil Company of California.
West Virginia	Standard Oil Company of New Jersey.
Wisconsin	Standard Oil Company of Indiana.
Wyoming	Continental Oil Company.

*Copies may be obtained from the Office of Price Administration.

¹⁸ F.R. 3718, 3795, 3845, 4130, 4131, 3841, 4252, 4334, 4783, 4840.

This amendment shall become effective August 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11390; Filed, July 15, 1943;
2:12 p. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 429]

CERTAIN USED CONSUMER DURABLE GOODS

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 429 are and will be generally fair and equitable and will effectuate the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1366.1 *Maximum prices for certain types of used consumer durable goods.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 429 (Ceiling Prices for Certain Types of Used Consumer Durable Goods), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1366.1 issued under Pub. Laws 421 and 727, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 429—CEILING
PRICES FOR CERTAIN TYPES OF USED CONSUMER
DURABLE GOODS

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SECTION 1. *What to look for in this regulation.* This regulation tells how to find ceiling prices for certain types of

*Copies may be obtained from the Office of Price Administration.

No. 141—3

used goods. As defined in this regulation used goods includes reconditioned, rebuilt, and renovated goods. However, this regulation does not cover goods which were sold new and which have been returned to the original seller who has returned to the buyer the full amount paid on account of the purchase of the goods. (Such goods are to be treated as new goods under Office of Price Administration price regulations).

This regulation does not cover the sale of all used goods. It only covers the sale of the used goods listed below:

(a) All kinds of furniture made from any kind of material, to be used for any purpose, including furniture used in offices, stores, restaurants, hospitals, hotels, camps, trailers, boats, institutions and similar places as well as homes.

(b) All kinds of bedding including mattresses, pillows, studio couches, sofa beds, boxsprings, and pads, but not including non-upholstered metal coil or flat bedsprings, folding bedsprings or bedsprings with stationary or folding legs attached, metal cots and fold-away beds.

(c) All kinds of domestic cooking and space heating stoves except gas cooking stoves.

(d) All kinds of soft surface floor coverings including carpets and rugs; and hard surface floor coverings including linoleum, inlaid, and felt base. Knotted oriental rugs are not included.

(e) All kinds of portable lamps and lamp shades.

(f) The following houseware items: clothes wringers, metal ironing tables, laundry boilers, ice cream freezers, kitchen and bathroom scales, pressure canners, kitchen cutlery, choppers and grinders, small electrical appliance (including irons, fans, space heaters, heating pads, etc.) metal cooking utensils, carpet sweepers, step ladders, and stools.

(g) All kinds of hand tools including, but not limited to the following: chisels, of all types, pliers, wrenches, screw drivers of all types, snips, shears, shovels, farm and garden tools commonly known as steel goods, axes, hammers, hatchets, saws, sledges, wedges, mauls, picks, legging tools, carpenter's tools (such as planes, levels and squares).

(h) The following hardware items: wheelbarrows, blow torches, chain and chain products.

(i) All kinds of musical instruments except pianos.

(j) All kinds of baby carriages, strollers, and baby walkers.

(k) Portable room coolers of one horse power or less.

(l) All kinds of commercial and institutional kitchen equipment including, but not limited to, ranges, broilers, automatic fryers, roasting and baking ovens, steam tables, hot plates, griddles, coffee urns and coffee making systems, toasters, dishwashers, glasswashers, mixers, choppers, slicing machines, burnishers, potato peelers, vegetable steamers, and canopies.

(m) All kinds of store or office fixtures including, but not limited to, filing cabinets, lockers, storage cabinets, wardrobes, movable safes, time clocks, and store measuring devices used in the sale

of merchandise such as scales, liquid and bulk measures and linear measuring machines. Office business machines are not included.

(n) All kinds of beauty and barber shop furniture fixtures.

(o) All kinds of coin operated vending machines for cigarettes, candy, beverages, etc.; and coin operated weighing machines and juke boxes, pin ball machines and other amusement machines.

Sec. 2. *Relation to the General Maximum Price Regulation and other regulations.* This regulation takes the place of the General Maximum Price Regulation¹ for the sales of the used articles which are listed in section 1 above. However, this regulation does not cover the sale of the used goods listed below which are covered by other regulations.

Used household mechanical refrigerators (nonmechanical refrigerators remain under the General Maximum Price Regulation are not covered by Maximum Price Regulation 429.) _____ MPR 139²
Used typewriters _____ MPR 162²
Used vacuum cleaners _____ MPR 234⁴
Used washing machines _____ MPR 372⁵
Used bedsprings _____ MPR 390⁶

² 7 F.R. 3393, 3459, 6053, 6348; 8 F.R. 3706, 5424.

³ 7 F.R. 4494, 4534, 6356, 6348.

⁴ 8 F.R. 139, 3523, 6379.

⁵ 8 F.R. 5533.

⁶ 8 F.R. 5923, 7114.

Sec. 3. *Antiques and objects of art.* This regulation does not cover the sale of antiques and objects of art. An article is an antique if it is more than 75 years old, tends to increase rather than decrease in value because of its age and is commonly known and dealt in as an antique by the trade.

Sec. 4. *What transactions and persons are covered by this regulation.* (a) This regulation covers all sales by any person to any other person with the following exceptions only:

(1) Sales by a householder who is selling goods which he originally bought for his own use. Sales made by a householder through a dealer in used goods and sales of used goods out of a residence as a regular business are covered.

(2) Sales at good faith auctions of goods which are sold for the account of a householder. This exception does not include a sale at auction, conducted in or by a retail establishment regularly engaged in the business of selling used goods other than by auction.

(3) Sales by the War Department, the Department of the Navy of the United States, or the Procurement Division of the Treasury Department.

(4) Sales at wholesale. A sale at wholesale is a sale to a person who buys for the purpose of reselling the goods, rather than for use. Sales at wholesale remain covered by the General Maximum Price Regulation.

(b) "Person" includes an individual, corporation, partnership, or any other organized group of persons.

Sec. 5. *How to determine your ceiling prices.* (a) First, you must find the

¹ 8 F.R. 3636, 3249, 4347, 4486, 4724, 4978, 4348, 6047, 6362, 8511, 9025.

price of a new article (which is the same as or similar to the used article you are pricing), according to the rules in section 6.

(b) Second, you must find the class in which the used article you are pricing belongs. (Class I or Class II—See section 7.)

(c) You then find your ceiling price which is either $\frac{3}{4}$ or $\frac{1}{2}$ of the price of the new article, depending on the class in which the used article you are pricing belongs.

SEC. 6. *How to find the price of the new article.* You find the price of the new article by using these rules in the order in which they appear:

(a) *Rule 1.* Find the retail selling price of the same article, new, for sale in your own stock.

(b) *Rule 2.* If you do not have the same article, new, in stock, find the retail selling price of a similar article, new, in your own stock. A used article is "similar" to a new article if the used article has the same uses and when new would give fairly equivalent service. In addition, the used article, when new, must have sold for approximately the same price as the similar new article now sells for.

(c) *Rule 3.* If you do not have a similar article, new, in stock, find the retail selling price of the same article, new, in the same shopping area. (The shopping area is the area in which persons in your community shop for new goods of the kind you are pricing.)

(d) *Rule 4.* If the same article, new, is not for sale in the same shopping area, find the retail selling price of a similar article, new, for sale in the same shopping area. A used article is "similar" to a new article if the used article has the same use and when new would give fairly equivalent service. In addition, the used article, when new, must have sold for approximately the same price as the similar new article now sells for.

(e) *Rule 5.* If the same or similar article is not being sold in your community, find the retail selling price when this article was last sold in your community.

(f) *Rule 6.* If you cannot find the retail selling price under any of these Rules above, apply to the appropriate Office of Price Administration District Office, for information on how to determine your price.

Remember, if you can find the price of the new article in Rule 1, you cannot use Rules 2, 3, 4, 5, or 6. If you can use Rule 2, you cannot use Rules 3, 4, 5, or 6. If you can use Rule 3, you cannot use Rules 4, 5, or 6. If you can use Rule 4, you cannot use Rules 5 or 6.

SEC. 7. *How to determine the class of a used article.*—(a) *Class I.* An article is a Class I article if:

(1) No part is missing which is necessary to make the article fully useful.

(2) The article is in good working condition, can be used by the consumer for the purpose intended without further repair, and the article is clean and its appearance is good.

For example: In the case of floor covering, upholstered furniture and bedding, the fabric must be clean and substantially free from

burns, cuts, tears, stains, frayed edges, faded colors, and worn spots.

(b) *Class II.* An article is a Class II article if it is not in Class I.

SEC. 8. *How to find the ceiling price for each class.* The ceiling price for the used article must be no more than:

Class I. $\frac{3}{4}$ (75%) of new.

Class II. $\frac{1}{2}$ (33 $\frac{1}{3}$ %) of new.

Example for Class I: If the selling price of a new article is \$40, you determine the ceiling price of the used article by multiplying \$40 by 3 and dividing the result by 4; 3 times \$40 is \$120; \$120 divided by 4 is \$30; \$30 is the ceiling price for the Class I used article.

Example for Class II: The selling price of the new article is \$30. To determine the ceiling price of the used article, you divide the \$30 by 3; \$30 divided by 3 is \$10. This is the ceiling price for the Class II used article.

No sales, attempts to sell or offers to sell shall be made at prices higher than the ceiling price. Of course, sales may be made at lower than ceiling prices.

SEC. 9. *Fixing of dollars-and-cents ceiling prices for certain articles by Regional or other offices of the Office of Price Administration.* Any Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate Regional Office, may by order fix dollars-and-cents ceiling prices for the sales of any articles covered by this regulation in any area or locality within its jurisdiction. Any order fixing maximum prices issued under the authority of this provision will supersede the provisions of this regulation with respect to sales subject to such order.

SEC. 10. *Adjustment of prices under certain circumstances.* Any regional office of the Office of Price Administration or such other offices as may be authorized by the proper regional office may grant permission to any person subject to this regulation to charge a higher price for the sale of any rebuilt or reconditioned article than is permitted by this regulation if it is found that:

(a) The article is essential, and is one of which there is a serious shortage.

(b) There has been expended (in the course of rebuilding, reconditioning, or renovating the used article) a substantial amount for labor and materials.

(c) Considering the substantial amount expended for labor and materials, the establishment of a price by the Class I formula would result in a price so low that he could not reasonably be expected to continue to recondition or rebuild the article.

For further information consult with your nearest district office of the Office of Price Administration.

Until such permission is granted the ceiling price is the price fixed by this regulation.

SEC. 11. *Credit, delivery and other charges.* (a) Any additional charge for credit, packing, delivery, or anything else, which is not quoted and billed separately is considered part of the selling price. (b) You may make a charge for the extension of credit or delivery, or packing only if: (1) during March 1942, you made a separate charge for any of those services, (2) the amount which you charge the buyer is not greater than the charge you made during March 1942. If

the charge is for credit, the rate of charge cannot exceed the rate charged during March 1942 on the same unpaid balance for the same period of time on sales of used goods, and (3) you quote and bill these extra charges separately.

If you were not engaged in the business of selling used goods in March 1942 then your charge for credit delivery or packing may not exceed the charge made by your closest competitor selling used goods who makes a separate charge for credit, delivery, or packing.

You cannot require the customer to take any of these services.

SEC. 12. *Evasion, licensing and enforcement.*—(a) *Evasion.* You must not evade any of the provisions of this regulation by any scheme or device, or by any practice which has the effect of getting a higher-than-ceiling price. Specifically, you cannot offer to sell used goods covered by this regulation only on condition that the customer agree to pay for reconditioning, repairing, or rebuilding to be performed by you before or after he buys the merchandise or only on condition that the customer buy goods which he does not wish to buy. If the customer buys an article from you, and asks you to rebuild it or recondition it, the total amount which you receive on account of the sale of the goods and on account of the reconditioning or rebuilding cannot exceed the ceiling price of the goods if you offered the goods for sale as Class I goods.

You may not use the published list price as the price of the new article under section 6, if that published list price was generally not observed by sellers of new goods. Section 6 requires you to find the actual selling price of the new article.

(b) *Registration and licensing.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation apply to every person subject to this regulation, selling the goods covered by this regulation at retail.

(c) *Enforcement.* On and after Sept. 1, 1943, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, if you violate any provision of this regulation.

SEC. 13. *Posting ceiling price notice.* If you are a retailer, you must post a sign no smaller than 11" x 17" in size, in a place that is permanently and clearly visible to all customers for used goods. Your nearest Office of Price Administration Office can help you get this sign. This sign must read substantially as follows except that you may omit from it any articles not sold in your store.

CEILING PRICES ON USED, RECONDITIONED, OR REBUILT ARTICLES

(Name of your establishment)

Our ceiling prices for the used, reconditioned, rebuilt and renovated articles listed below have been fixed under Maximum Price Regulation No. issued by the Office of Price Administration.

The regulation sets up ceiling prices for the following articles:
Furniture.

Bedding.
 Floor Coverings.
 Stoves, ranges and space heaters.
 Baby Carriages.
 Musical instruments, except pianos.
 Lamps and lamp shades.
 Housewares.
 Hand tools.
 Room Coolers.
 Office and store furniture and fixtures.
 Commercial and institutional Kitchen Equipment.
 Beauty and barber shop furniture, fixtures and equipment.
 Coin operated vending machines.

CEILING PRICES

The used goods covered by the regulation must be classified as Class I or Class II, according to quality.

This store is not allowed to charge more for these used goods than the ceiling prices described below under the two classes.

Class I: This group includes all used articles which meet the conditions shown below.

Ceiling prices for articles in Class I must not be priced higher than 75 percent of the present retail selling price of the same or a similar article.

Used articles may be included in Class I only if they meet these conditions:

1. No part is missing which is necessary to make the article fully useful.
2. The article is in good working condition, can be used by the consumer for the purpose intended without further repair, and the article is clean and its appearance is good.

For example—in the case of floor covering, upholstered furniture and bedding, the fabric must be clean and substantially free from burns, cuts, tears, stains, frayed edges, faded colors and worn spots.

Class II: This group includes all articles which do not meet the requirements of Class I.

Ceiling prices of articles in Class II must not be priced higher than 33½ percent of the present retail selling price of the same or a similar article.

ARTICLES SELLING AT \$2.00 OR MORE MUST HAVE PRICE TAGS

SALES SLIPS WILL BE GIVEN TO ANY CUSTOMER UPON REQUEST

SEC. 14. Tagging. If you are a retailer, you must tag or label every article covered by this regulation with the actual selling price in plain dollars and cents figures, except that if the selling price is less than \$2.00 a tag is not required. In addition to the selling price, the tag must show the class (Class I or Class II). This tag or label must not be removed except by the person to whom you sell the article. The price written on the tag or label must be the one set by this regulation or a lower price. Any goods priced and tagged under the provisions of this regulation, before the effective date, are covered by this regulation.

SEC. 15. Sales slips or receipts. If you have customarily given a customer a sales slip, receipt, or similar evidence of purchase you shall continue to do so. Upon request, regardless of previous custom, you shall give a receipt showing the date, your name and address, a list of the articles bought and the prices paid, kind and amount of any additional charges, and the name and address of the customer.

SEC. 16. Petitions for amendment. You may seek a change in this Maximum Price Regulation No. 429 or any exception to its terms by filing a petition for amendment in accordance with the rules outlined in Revised Procedural Regulation No. 1^a issued by the Office of Price Administration.

SEC. 17. Geographical coverage of this regulation. The provisions of this regulation apply to the forty-eight states, the District of Columbia and the territories and possessions of the United States. It becomes effective in the territories and possessions 45 days after its effective date in continental United States.

Effective Date

The regulation shall become effective September 1, 1943.

NOTE: The reporting and record-keeping requirements of this Regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-11391; Filed, July 15, 1943;
 2:13 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[R.O. 14; Correction to Amdt. 1]
 FIREWOOD

In section 1.3a(g) the reference to "paragraph (b)" is corrected to read "paragraph (f)".

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 FR. 562; Supp. Dir. No. 1-U, 8 FR. 1835; E.O. 9125, 7 FR. 2719).

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-11392; Filed, July 15, 1943;
 2:11 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333; Amdt. 11]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.^a

Maximum Price Regulation 333 is amended in the following respect:

A new § 1429.69 (f) (1) is added to read as follows:

(1) Shell eggs of Consumer Grade AA or Consumer Grade A when treated with

^aCopies may be obtained from the Office of Price Administration.

^b8 FR. 2595, 9010.

^c8 FR. 2438, 3002, 3670, 3735, 5342, 5839, 6626, 6182, 6476, 7457, 9300.

^d7 FR. 8961; 8 FR. 3313, 3533, 6173.

a mineral oil for purposes of preservation and sold to the United States or any agency thereof may sell at one cent per dozen more than the maximum price for such grades when not so treated.

This amendment shall be effective as of May 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 FR. 7871, E.O. 9328, 8 FR. 4631)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
 Administrator.

Approved: July 2, 1943.

PAUL A. PORTER,
 Acting War Food Administrator.

[F. R. Doc. 43-11393; Filed, July 15, 1943;
 2:15 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Correction to MPR 425^a]

FRESH FRUITS, BERRIES, AND VEGETABLES FOR PROCESSING

Maximum Price Regulation 425 is corrected in the following respects:

1. In section 3, "Cherries, red sour pitted" is corrected to read "Cherries, red sour".

2. The price per pound named for youngberries in section 4 of Maximum Price Regulation No. 425 is corrected to read "12¢" instead of "13¢".

This correction shall be effective as of July 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, F.R. 7871; E.O. 9328, 8 FR. 4631)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-11394; Filed, July 15, 1943;
 2:12 p. m.]

PART 1493—COMMODITIES AND SERVICES

[Order 592 Under § 1493.3 (b) of GMFR]

MOWER LUMBER CO.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, It is hereby ordered:

§ 1493.2120 Approval of maximum prices for the sale of small dimension hardwood lumber by the Mower Lumber Company. (a) The Mower Lumber Company, Masonic Building, Charleston, West Virginia, may sell and deliver and any person may buy from said company, small dimension hardwood lumber at prices f. o. b. mill no higher than those hereinafter set forth:

^a8 FR. 9303.

KILN DRIED CLEAR HARDWOODS

Thickness (inches)	Width (inches)	Length (inches)	Price per M f. o. b. mill
1 1/4	1	25	\$55.00
1	1 3/8	39	65.50
1	2	27	65.50
1	1 3/8	21	60.50
1 1/2	1	16 1/2	60.50
1 1/2	1	13	60.50

KILN DRIED CLEAR OAK

Thickness (inches)	Width (inches)	Length (inches)	Price per M f. o. b. mill
1 1/4	1	25	\$55.50
1	1 3/8	39	65.50
1	1 3/8	21	60.50
1	2	27	65.50

(b) All discounts, credit allowances and other terms relating to payment in effect by applicant in March 1942 shall apply to the prices herein determined.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 16, 1943.

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11395; Filed, July 15, 1943;
2:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Amdt. 29]

EXCEPTIONS, TRANSPORTATION OF PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

New subparagraphs (125) and (126) are added to paragraph (b) of § 1499.46 to read as set forth below.

§ 1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

(125) Transportation of petroleum and petroleum products by carriers other than common carriers, in bulk by barge between points on the Gulf Intracoastal Waterway, and its tributaries, for distances under 75 miles.

"Points on the Gulf Intracoastal Waterway" include all points which are or may be served with barge transportation by use of the Gulf Intracoastal Waterway and all points on the Mississippi River south of, and including, North Baton Rouge, Louisiana.

(126) Towage services, by carriers other than common carriers, within harbors and harbor district areas on the U. S. Gulf of Mexico.

This amendment shall become effective July 16, 1943.

*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11412; Filed, July 15, 1943;
4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 1]

TRANSPORTATION OF PETROLEUM AND PETROLEUM PRODUCTS

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 7.6 is amended to read as follows:

SEC. 7.6 *Transportation of petroleum and petroleum products in bulk by barge along the Gulf Intracoastal Waterway, the Atlantic Intracoastal Waterway south of Norfolk, Virginia, the Mississippi River, including their tributary waterways, and the Gulf of Mexico, and charter of tugboats and barges for use on certain inland waterways—(a) Definitions.* (1) "Barge" means all non-self-propelled water craft licensed by the U. S. Coast Guard, Bureau of Inspection and Navigation, and used, for the transportation of petroleum or petroleum products in bulk.

(2) "Petroleum" and "petroleum products" mean products of Grade B and lower as defined by the U. S. Coast Guard, Bureau of Inspection and Navigation, Tanker Rules and Regulations. (Rates and charges for the transportation of Grade A petroleum products in bulk by barge shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation.)

(3) "Ton" and "net ton" mean two thousand (2,000) pounds avoirdupois.

(4) "Points on the Gulf Intracoastal Waterway" mean all points which are or may be served with barge transportation by use of the Gulf Intracoastal Waterway and all points on the Mississippi River south of, and including, North Baton Rouge, Louisiana.

(5) "Points on the Gulf of Mexico" mean all points in the United States which are or may be served with barge transportation conducted wholly or in principal part on the Gulf of Mexico.

(6) "Points on the Atlantic Intracoastal Waterway" mean all points which are or may be served with barge transportation by use of the Atlantic Intracoastal Waterway south of, and including, Norfolk, Virginia, and all points on the tributaries of the Atlantic Intracoastal Waterway south of Norfolk, Virginia.

(7) "Points on the Mississippi River and its tributaries" mean all points which are or may be served with barge transportation by use of the rivers in Group A, Group B and Group C, as hereinafter defined:

(8) "Group A" and "Group B" mean:

Group A

Lower Mississippi River.
Ohio River.
Kanawha River.
Illinois River.
Allegheny River.
St. Croix River.
Stillwater River.
Monongahela River.

Group B

Tennessee River.
Cumberland River.
Green River.
Barren River.
Kentucky River.
Ouachita River.
Missouri River.
Licking River.

(9) "Group C" means the Upper Mississippi River and its tributaries (except the Illinois and Missouri Rivers) north of St. Louis, Missouri, including all loading stations located within a radius of 25 miles of St. Louis.

(b) *Maximum prices on the Gulf Intracoastal Waterway.* Maximum prices for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Gulf Intracoastal Waterway, for distances of 75¹ miles or more, shall be as set forth in the table below. (See proviso in paragraph (e) of this section 7.6.)

[Rate in mills per net ton per mile]

Distance in miles	Minimum cargoes in tow			
	500 tons	1,000 tons	2,000 tons	3,000 tons
75 to, but not including, 100 miles.....	7.00	6.50	6.00	5.50
100 to, but not including, 150 miles.....	6.50	6.25	5.80	5.00
150 miles and over.....	6.00	5.70	5.30	4.25

Rules and Regulations Applicable to the Gulf Intracoastal Waterway

(1) *Distances.* Distances shall be determined in accordance with the official distance tables of the U. S. Engineers, except that three miles may be added in the case of movements having one terminus east of Canal Street, New Orleans, Louisiana, and the other west of Harvey Canal Lock.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum prices for furnishing towing services only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum car-

¹ Rates and charges for distances less than 75 miles and for harbor towage and towage within harbor district areas are exempt from maximum price regulation under § 1499.46 (b) (125) and (126) of Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation.

goes in tow. The maximum charge for a cargo in tow of less than 500 tons for distances over 75 miles shall be either (i) the charge determined by agreement between the parties, or (ii) the maximum charge for a cargo of 500 tons computed at the 500-ton rate for the applicable distance. Charges determined under subdivision (i) of this subparagraph which exceed the maximum charges computed in accordance with the terms of subdivision (ii) shall be reported by the carrier within 10 days of the date of the agreement to the District Office of the Office of Price Administration, Canal Building, New Orleans, Louisiana.

The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 500 tons but less than 1,000 tons shall be computed at the rate established in the above table for minimum cargoes of 500 tons, unless the charge thus computed exceeds the charge for a cargo of 1,000 tons computed at the 1,000-ton rate, in which event the latter charge shall prevail.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Tolls and port charges.* Canal tollage, lock charges, and port charges are included in the rates set forth in the above table for tugs and barges but are not included in the rates for towing only.

(5) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges but is not included in the rates for towing only.

(6) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps, a charge of three-quarters (¾) of one cent per barrel may be made for use of carrier's pumps. In addition, if the carrier performs discharging service, at the request of the shipper, an additional charge therefor may be made, which shall not exceed the actual cost to the carrier of furnishing such service.

(7) *Cleaning of equipment.* Where cleaning is required to render barges suitable for the transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates specified above include free time of three hours at loading point and three hours at unloading point. Loading and discharge rates shall be determined by agreement between the parties, or, in the absence of such agreement, the loading rate shall be 2,500 barrels per running hour and the discharge rate shall be 1,500 barrels per running hour, day or night, Saturdays, Sundays and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of \$10.00 per running hour or fraction thereof per tug and \$2.50 per running hour or fraction thereof per barge.

(9) *Additional charge for operating on the Gulf of Mexico.* When operating conditions on the Gulf Intracoastal Waterway between Panama City and Port St. Joe, Florida necessitate operation on the Gulf of Mexico, an additional charge may be made of not more than 33¢ per ton when the maximum rate is based on a minimum cargo of 2,000 tons or less and 24¢ per ton when the maximum rate is based on a minimum cargo of 3,000 tons.

(Attention is directed to the provisions of paragraph (h) of this section 7.6 requiring persons subject to the terms of this paragraph (b) to file quarterly financial reports with O. P. A.)

(c) *Maximum prices on the Gulf of Mexico.* Maximum prices for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Gulf of Mexico shall continue to be determined under the provisions of section 1499.2 of the General Maximum Price Regulation, except that, for distances of 75 miles and over, maximum prices shall be as follows:

Distance in miles	[Rate in mills per net ton per mile]		
	Minimum cargoes in tow		
	1,000 tons	2,000 tons	3,000 tons
Under 100 miles.....	6.00	6.00	6.00
100 to, but not including, 200 miles.....	6.25	6.00	4.50
200 to, but not including, 700 miles.....	6.00	6.00	4.25
700 miles and over.....	5.75	5.00	4.00

Rules and Regulations Applicable to the Gulf of Mexico

(1) *Distances.* Distances shall be determined in accordance with United States Coast and Geodetic Survey Charts, from the bar of the port of loading to the bar of the port of discharge, to which may be added actual mileage from the bar to the dock at each port.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum prices for furnishing towing service only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for a cargo in tow of less than 1,000 tons

shall be the maximum charge for a cargo of 1,000 tons computed at the 1,000-ton rate. The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 1,000 tons but less than 2,000 tons shall be computed at the rate established in the above table for minimum cargoes of 1,000 tons, unless the charge thus computed exceeds the charge for a cargo of 2,000 tons computed at the 2,000-ton rate, in which event, the latter charge shall prevail.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Port charges.* Port charges on vessels are included in the rates set forth in the above table.

(5) *Insurance and crew's bonus payments.* Cargo insurance is not included in the rates set forth in the above table, but insurance and war risk insurance on vessels, war risk insurance on crews and bonus payments to crew members are included.

(6) *Pumping out by carrier.* Use of the carrier's pumps for discharging and the service of pumping out cargo are included in the rates set forth in the above table.

(7) *Cleaning of equipment.* Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates set forth in the above table include free time of three hours at loading point and three hours at unloading point for minimum cargoes in tow of less than 2,000 tons and six hours at loading point and six hours at unloading point for minimum cargoes in tow of 2,000 tons and over. Loading and discharge rates shall be determined by agreement between the parties or, in the absence of such agreement, they shall be the maximum loading and discharge rates of the available pumping equipment. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of \$35.00 per running hour or fraction thereof for tugs having minimum cargoes of 2,000 tons and over and \$25.00 per running hour or fraction thereof for

tugs having minimum cargoes in tow of less than 2,000 tons. The following demurrage rates for barges may be charged:

	Per running hour or fraction thereof
Under 3,000 tons capacity ¹ -----	\$7.50
3,000 to, but not including, 4,000 tons capacity-----	10.00
4,000 to, but not including, 5,000 tons capacity-----	12.50
5,000 tons capacity and over-----	15.00

¹ Capacity shall be the full cubical capacity of the barge as allowed in its certificate without regard to the density of the cargo.

(Attention is directed to the provisions of paragraph (h) of this section 7.6 requiring persons subject to the terms of this paragraph (c) to file quarterly financial reports with O. P. A.)

(d) *Maximum prices on the Atlantic Intracoastal Waterway.* Maximum prices for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Atlantic Intracoastal Waterway south of Norfolk, Virginia, and its tributaries, shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation, except that the maximum prices for distances of 25 miles or more shall be as follows:

[Rate in mills per net ton per mile]

Distance in miles	Minimum cargoes in tow			
	750 tons	1,000 tons	2,000 tons	3,000 tons
25 to, but not including, 100 miles-----	9.60	9.00	7.60	6.50
100 to, but not including, 300 miles-----	9.40	8.60	6.60	5.50
300 miles and over-----	9.20	8.30	6.30	5.25

Rules and Regulations Applicable to the Atlantic Intracoastal Waterway

(1) *Distances.* Distances shall be determined in accordance with the official distance tables of the U. S. Engineers, and, to the extent that distances are not thus ascertainable, in accordance with actual mileage.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum prices for furnishing towing services only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for cargoes in tow of less than 750 tons shall be the charge for a cargo of 750 tons computed at the 750-ton rate. The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 750 tons but less than 1,000 tons shall be computed at the rate established in the above table for minimum cargoes of 750 tons, unless the

charge thus computed exceeds the charge for a cargo of 1,000 tons computed at the 1,000-ton rate, in which event the latter charge shall prevail.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Tolls and port charges.* Canal tollage, lock charges and port charges are included in the rates set forth in the above table for tugs and barges but are not included in the rates for towing only.

(5) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges but is not included in the rates for towing only.

(6) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps, a charge of three-quarters ($\frac{3}{4}$) of one cent per barrel may be made for use of carrier's pumps. In addition, if the carrier performs discharging service, at the request of the shipper, an additional charge therefor may be made, which shall not exceed the actual cost to the carrier of furnishing such service.

(7) *Cleaning of equipment.* Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates set forth above include free time of three hours at loading point and three hours at unloading point. Loading and discharge rates shall be determined by agreement between the parties, or, in the absence of such agreement, the loading rate shall be 1,250 barrels per running hour and the discharge rate shall be 750 barrels per running hour, day or night, Saturdays, Sundays and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of \$10.00 per running hour or fraction thereof per tug, and \$2.50 per running hour or fraction thereof per barge.

(Attention is directed to the provisions of paragraph (h) of this section 7.6 requiring persons subject to the terms of this paragraph (d) to file quarterly financial reports with O. P. A.)

(e) *Maximum prices on the Mississippi River.* Maximum prices for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge be-

tween points on the Mississippi River and its tributaries, shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation, except that the maximum prices for distances of 150 miles or more shall be as set forth below: *Provided*, That the provisions of paragraph (b) of this section 7.6, governing transportation on the Gulf Intracoastal Waterway, shall apply to transportation originating on the Gulf Intracoastal Waterway and terminating or transferring at a point on the Mississippi River south of, and including, North Baton Rouge, Louisiana, and also to movements on the Mississippi River wholly between points south of, and including, North Baton Rouge, Louisiana.

[Rate in mills per net ton per mile]

Group A

150 to, but not including, 300 miles----	4.00
300 miles and over-----	3.75

Group B

150 to, but not including, 300 miles----	4.10
300 miles and over-----	3.90

Group C

150 to, but not including, 300 miles----	3.75
300 miles and over-----	3.50

Rules and Regulations Applicable to the Mississippi River

(1) *Distances.* Distances shall be determined in accordance with the 1942 U. S. Coast Guard Light List, with no deductions for cut-offs.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges or towboats and barges by the carrier. Maximum prices for furnishing towing services only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges or towboats and barges.

The rates set forth above are based on minimum cargoes of 500 tons per barge. The maximum charge for cargoes of less than 500 tons per barge shall be the charge for a cargo of 500 tons.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges and towboats and barges but is not included in the rates for towing only.

(5) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps installed on barges, an additional charge of three-quarters ($\frac{3}{4}$) of one cent per barrel may be made for use of carrier's pumps. If the carrier performs discharging service, at the request of the shipper, an additional charge therefor may be made, which shall not exceed the actual cost to the carrier of furnishing such service.

(6) *Cleaning of equipment.* Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement be-

tween the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(7) *Demurrage*. The rates specified above include free time of three hours at loading point and three hours at unloading point. Loading and discharge rates shall be determined by agreement between the parties or, in the absence of such agreement, the loading rate shall be 2,500 barrels per running hour and the discharge rate shall be 1,500 barrels per running hour, day or night, Saturdays, Sundays, and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at rates for barges which shall not exceed three-tenths ($\frac{3}{10}$) of one mill per barrel of 42 gallons per hour, based on barge capacity, size of barge to be determined by Barge Calibration Table, and at rates for tugboats which shall not exceed three (3) cents per indicated or rated horsepower, as the case may be, per hour.

(Attention is directed to the provisions of paragraph (h) of this section 7.6 requiring persons subject to the terms of this paragraph (e) to file quarterly financial reports with O.P.A.)

(f) *Maximum prices for the charter of tank barges*. Maximum prices for the time charter of tank barges for use in the transportation of petroleum and petroleum products between points on the Gulf Intracoastal Waterway, the Atlantic Intracoastal Waterway south of Norfolk, Virginia, and the Mississippi River, and their tributary waterways, shall be as follows:

	Rate per barrel per month Cents
Capacity of barge:	
12,000 barrels and over.....	12
9,000 barrels to, but not including, 12,000 barrels.....	13
6,000 barrels to, but not including, 9,000 barrels.....	15
3,000 barrels to, but not including, 6,000 barrels.....	19
1,500 barrels to, but not including, 3,000 barrels.....	22
750 barrels to, but not including, 1,500 barrels.....	25
Under 750 barrels.....	(*)

*The maximum charge for a barge of less than 750 barrels capacity shall be the maximum price for a barge of 750 barrels capacity computed at the 750-barrel rate.

Rules and Regulations Applicable to the Charter of Tank Barges

(1) Capacity shall be the full cubical capacity of the barge as allowed in its certificate without regard to the density of the cargo.

(2) The maximum charge for a particular barge shall not, in any case, exceed the maximum charge for a barge of the next greater capacity group computed at the rate applicable thereto. For example, the maximum charge for a barge of more than 750 barrels capacity but less than 1,500 barrels shall be computed at the rate established in the above table for barges of 750 to, but not including, 1,500 barrels, unless the charge thus computed exceeds the charge for a barge of 1,500 barrels capacity computed at the 1,500-barrel rate, in which event the latter charge shall prevail.

(3) The rates set forth in the above table may be increased by twenty percent (20%) for barges equipped with pumps.

(4) The rates set forth in the above table are for a period of one month extending from the date on which the charter commences to, but not including, the same date in the next calendar month, but, if there be no corresponding date in the next succeeding calendar month, it shall extend to and include the last day of that month. Fractions of a month shall be computed on the basis of one-thirtieth ($\frac{1}{30}$) of the monthly rate for each twenty-four hour period or fraction thereof.

(g) *Maximum prices for the charter of tugboats*. Maximum prices for the charter of tugboats and towboats shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation except that the maximum prices for the time-charter of heavy-duty Diesel and steam-powered tugboats, for use in transportation service (other than salvage, deep-sea and harbor towage) on the Gulf Intracoastal Waterway and the Atlantic Intracoastal Waterway south of Norfolk, Virginia, and their tributary waterways, shall be as follows:

Description	Rate per hour
59 horsepower and under.....	\$3.59
60 horsepower to 100.....	5.00
101 horsepower to 150.....	7.00
151 horsepower to 164.....	8.00
165 horsepower to 230.....	9.00
231 horsepower to 355.....	11.00
356 horsepower to 475.....	15.00
476 horsepower to 650.....	18.50
651 horsepower to 750.....	20.00
751 horsepower and over.....	21.00

Rules and Regulations Applicable to the Charter of Tugboats

(1) In determining the horsepower of Diesel tugboats, for purposes of this paragraph (g), the rated horsepower at maximum revolutions per minute shall be used and the indicated horsepower shall be used in determining the horsepower of steam powered tugboats.

(2) The maximum price for the charter of a tugboat for less than 5 hours shall be the maximum price for a charter period of 5 hours computed on the basis of the rates set forth in the above table.

(3) In determining maximum prices for charter periods of less than seventy-two (72) hours but more than five (5) hours, ten percent (10%) may be added to the maximum prices computed on the basis of the rates set forth in the above table and, for charter periods of more than 30 consecutive days, ten percent (10%) shall be deducted.

(4) The above rates include the furnishing of full crew, subsistence for the crew, necessary supplies, fuel, maintenance, and insurance customarily provided by the owner. They do not include charges for wharfage, dockage, lockage or cargo insurance.

(h) *Reports*. Carriers whose maximum prices are subject to the provisions of this section 7.6 shall file the following information with the Office of Price Administration, Transportation and Public Utilities Division, Transportation Branch, Washington, D. C., within thirty days after the end of each quarter.

(1) Quarterly profit and loss statements, in detail, beginning with the quarter ending September 30, 1943, on forms to be supplied by the Washington Office of the Office of Price Administration. If the transportation services covered by this Amendment constitute only a portion of a carrier's business, an allocation of the items of operating revenue and operating expenses applicable to such service shall be made, with an explanation of the basis and method of allocation.

(2) Balance sheets as of September 30, 1943, and quarterly thereafter, together with a reconciliation statement of surplus, if the carrier is a corporation, or of net worth, if the carrier is other than a corporation, on the forms referred to in paragraph (1) above.

(3) A statement setting forth the number of tons transported, and miles operated, at each rate.

This amendment shall become effective July 16, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4631)

NOTE: Record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11413; Filed, July 15, 1943;
4:51 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS (MPR 230, Amdt. 30)

SPECIFIC FOOD PRODUCTS: FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 230 is amended in the following respects:

1. Section 1351.303 (h) is amended to read as follows:

(h) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions, in the "Dallas Regional Area," "Memphis, Tennessee Area," "Chicago, Illinois Area," "New York Met-

*Copies may be obtained from the Office of Price Administration.

*8 F.R. 5165, 7526, 6357, 7193, 7539, 7670, 8063, 8189.

ropolitan Area," "Baltimore-Annapolis, Maryland Area" and State of Florida. Maximum prices for such sales are set in § 1499.73a (a) (1) of Supplementary Regulation No. 14A to the General Maximum Price Regulation.

This amendment shall become effective July 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11417; Filed, July 15, 1943;
4:53 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 329, Amdt. 12]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 329 is amended in the following respects:

1. Section 1351.402 (a) (1) is amended to read as follows:

(1) Maximum prices for purchases of "milk" from producers for resale as fluid milk in the Atlanta Regional Area; the Arlington-Alexandria marketing area and in the Baltimore-Annapolis, Maryland area; Fairfax County, Virginia, except that part of Fairfax County included in the Arlington-Alexandria, Virginia marketing area; the Montgomery, Maryland area; the Harford, Maryland, area; the Norfolk-Portsmouth and Newport News-Williamsburg, Virginia area; and the State of Florida are modified and adjusted in § 1351.415 below.

2. Section 1351.402 (a) (2) to § 1351.402 (a) (6), inclusive, are hereby revoked.

3. The first undesignated paragraph of § 1351.415 (a), beginning with the words "The maximum price," is amended to read as follows:

The maximum price for each grade of "milk" purchased from a producer for resale as fluid milk in the Atlanta Regional Area (except Arlington and Fairfax Counties in Virginia; the Norfolk-Portsmouth and the Newport News-Williamsburg, Virginia areas; and the State of Florida, for which adjusted maximum prices are set in paragraphs (e), (f), (g) and (h) of this section) shall be the highest price each purchaser from a producer paid that producer for "milk" of the same grade received during January 1943, or the following, whichever is higher:

4. A new § 1351.415 (p) is added to read as follows:

(p) The maximum price which a purchaser of "milk" may pay for sales and deliveries in the State of Florida shall be the maximum price determined under § 1351.402 (a) and (b), above, or the following, whichever is higher: 37½ cents per gallon, sold and delivered f. o. b. purchaser's plant in Area I; 39 cents per gallon, sold and delivered f. o. b. purchaser's plant in Area II; 42 cents per gallon, sold and delivered f. o. b. purchaser's plant in Area III; and 44 cents per gallon, sold and delivered f. o. b. purchaser's plant in Area IV. Areas I to IV, inclusive, are defined in § 1499.73a (a) (1) (vii) (a) (8) (i) of Supplementary Regulation 14A to the General Maximum Price Regulation.

This amendment shall become effective July 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-11415; Filed, July 15, 1943;
4:52 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 28]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (1) is amended to read as follows:

(1) Imported huaraches and imported huarache oxfords, released by the Collector of Customs before June 1, 1943.

2. Section 2.11 (a) (3) is amended by deleting the words "July 16, 1943" and substituting instead the following, "August 16, 1943."

This amendment shall become effective July 15, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Directive 1, 7 F.R. 562; Supp. Directive 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11414; Filed, July 15, 1943;
4:52 p. m.]

*F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3533, 4129, 3948, 4716, 5589, 5678, 5679, 5567, 5756, 6046, 6687, 7189, 7261, 8061, 8357, 8601, 9062.

PART 1412—SOLVENTS

[MPR 37, Amdt. 6]

BUTYL ALCOHOL AND ESTERS THEREOF

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 37 is amended in the following respects:

1. Section 1412.103 (b) is hereby revoked.

2. Section 1412.116 (a) (1) is amended to read as follows:

(1) *Maximum prices per pound, delivered, in eastern territory—(i) Sales in tank cars of butyl alcohol and butyl acetate produced after June 30, 1943.*

	Butyl alcohol	Butyl acetate	Base average cost per bushel of whole grain
Produced by fermentation of molasses.....	\$0.185	\$0.18	-----
Produced by Commercial Solvents Corp. by fermentation of grain.....	.188	.1705	\$1.22
Produced by U. S. Industrial Chemicals, Inc. and Publicker Commercial Alcohol Corp. by fermentation of grain.....	.226	.2115	1.22

(ii) *Differentials for fluctuations in average cost per bushel of whole grain.* For every increase or decrease of \$.035 in the average cost per bushel of whole grain from the corresponding base average cost set opposite the maximum prices in subdivision (i) above, the corresponding price of grain fermentation butyl alcohol shall be increased or decreased, as the case may be, by \$.005 per pound, and the corresponding price of grain fermentation butyl acetate shall be increased or decreased, as the case may be, by \$.0035 per pound. The increases or decreases in the maximum prices for grain butyl alcohol and grain butyl acetate required by increases or decreases in the average cost of grain shall be made for each calendar month on the first day of each month and shall apply to the butyl alcohol and butyl acetate produced during each such month, except that such price determinations for July 1943 shall be made within ten days after July 15, 1943, and shall apply to the grain butyl alcohol and grain butyl acetate produced during July 1943. In making such increases or decreases, a producer shall compute his average cost for a current month by one of the following methods:

(a) The average cost for a current month shall be the actual average cost per bushel of grain used in production during the preceding month, computed by taking the actual average cost of the grain inventory on hand at the beginning of the preceding month plus the grain received during the preceding month; or

*Copies may be obtained from the Office of Price Administration.

* 8 F.R. 2038, 2874, 3612, 3252, 4726, 5907, 5933, 6737, 8063.

* 7 F.R. 6657, 7001, 7910, 8041, 8046; 8 F.R. 6046, 8874.

(b) The average cost for a current month shall be the actual average cost of the grain to be used during the current month, computed by taking the actual average cost of the inventory on hand at the beginning of the current month plus the grain for which contracts have been made for delivery during the current month for use in butyl alcohol production.

(iii) *Meaning of average cost per bushel of whole grain.* For the purposes of this subparagraph (1), "Average cost per bushel of whole grain" shall mean the average cost, delivered to the plant:

(a) In the case of wheat, of a 60-pound bushel.

(b) In the case of corn, of a 56-pound bushel.

(c) In the case of alcomeal or wheat flour, of 56-pounds of the granulated material, less the milling charges.

(d) In the case of rye, of 1½ bushels (65½ lbs.).

(iv) *Election of method of computation and reporting.* Within ten days after July 15, 1943, each producer of grain fermentation butyl alcohol and butyl acetate listed in subdivision (i) shall inform the Office of Price Administration by registered mail which one of the above methods of determining actual average cost of grain he elects to use; the maximum prices for butyl alcohol and butyl acetate which he has determined for July 1943 under that method; and a detailed statement of the average grain cost upon which such prices were determined. Thereafter, within ten days after the first day of each succeeding month, each such producer shall report to the Office of Price Administration his maximum prices for butyl alcohol and butyl acetate for that month computed under the method chosen by him, and a detailed statement of the actual average grain cost upon which such prices are determined. A producer having once elected to compute his average cost by one of the two methods set forth above, must continue using that method thereafter.

(v) *Sales in tank cars of butyl alcohol and butyl acetate produced before July 1, 1943.* The maximum prices under subdivisions (i) and (ii) shall apply only to butyl alcohol and butyl acetate produced after June 30, 1943. For normal fermentation butyl alcohol and butyl acetate produced before July 1, 1943 the following maximum prices are established for sales in tank cars:

	Butyl alcohol	Butyl acetate
Produced in Indiana and Illinois.....	\$0.1425	\$0.1475
Produced elsewhere in the U. S.....	.19	.1825

(vi) *Differentials for sales in other than tank cars.* For sales in drums in carload lots, and for sales in drums in less than carload lots, there may be added to the maximum tank car prices \$.01 and \$.015 per pound, respectively.

3. Section 1412.116 (a) (5) (i) is amended to read as follows:

(i) *Sales from plants in the territories and possessions.* The following maximum prices per pound are established for sales of normal fermentation butyl alcohol and normal fermentation butyl acetate produced in plants in the territories and possessions of the United States, f. o. b. plant:

	Normal fermentation butyl alcohol	Normal fermentation butyl acetate
Tank cars.....	\$0.1375	\$0.1425
Drums carload lots.....	.1475	.1525
Drums l. c. l.....	.1825	.1875

4. Section 1412.116 (b) is amended to read as follows:

(b) *Sales in containers of 50 gallons or more of normal synthetic butyl alcohol and normal synthetic butyl acetate.* The maximum prices for normal synthetic butyl alcohol or normal synthetic butyl acetate in containers of 50 gallons or more shall be the seller's maximum prices for such commodities as determined under the provisions of the General Maximum Price Regulation.

This amendment shall become effective as of July 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11411; Filed, July 15, 1943;
4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14A, Amdt. 1]

FLUID MILK IN CERTAIN SOUTHERN STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 14A to the General Maximum Price Regulation is amended in the following respects:

1. The first undesignated paragraph of § 1499.73a (a) (1) (vii) is amended as follows:

This subdivision (vii) establishes maximum prices for "approved fluid milk" sold and delivered within certain specified areas of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Maximum prices are established for specified types of wholesale and retail sales of approved fluid milk sold and delivered in the State of Florida in bulk and in glass and paper containers of one quart or less, and sold and delivered in the remainder of the Atlanta Regional Area in glass and paper containers of one quart or less.

2. The second undesignated paragraph of § 1499.73a (a) (1) (vii) is amended by adding the State of Florida to the series of states listed therein.

*Copies may be obtained from the Office of Price Administration.

3. The fourth undesignated paragraph of § 1499.73a (a) (1) (vii) is amended to read as follows:

A formula is provided by which persons who sold premium milk during May 1943 in the State of Florida and during January 1943 in the remainder of the Atlanta Regional Area may determine a premium to be added to the prices specified for standard approved fluid milk.

4. The sixth undesignated paragraph of § 1499.73a (a) (1) (vii) is deleted.

5. A new § 1499.73a (a) (1) (vii) (a) (8) is added to read as follows:

(8) *Florida—(1) Tables of maximum prices.* The maximum prices set forth below are the maximum prices for approved fluid milk sold and delivered to persons in the respective size and type containers set forth in the respective areas, regardless of the quantities sold or delivered, the seller's classification of purchasers, or the seller's customary discounts, allowances or other price differentials maintained prior to the effective date of this subdivision. (On sales larger than one gallon the price stated is per gallon. In all other instances, the price is determined by the container used, assuming that the container is full.)

Area I shall include the following counties:

Calhoun	Leon
Columbia	Madison
Gadsden	Okaloosa
Hamilton	Osceola
Holmes	Santa Rosa
Jackson	Suwannee
Jefferson	Walton
Lafayette	Washington

Area II shall include the following counties:

Alachua	Hillsborough
Bay	Levy
Citrus	Liberty
Dixie	Manatee
Escambia	Marion
Franklin	Pasco
Gilchrist	Pinellas
Gulf	Sarasota
Hardee	Taylor
Hernando	Wakulla

Area III shall include the following counties:

Baker	Lake
Bradford	Nassau
Broward	Okeechobee
Charlotte	Orange
Clay	Polk
Dade	Putnam
DeSoto	St. Johns
Duval	Seminole
Flagler	Sumter
Glades	Union
Highlands	Volusia

Area IV shall include the following counties:

Brevard	Monroe (except that part included in Area V)
Collier	Palmy Beach
Hendry	Saint Lucie
Indian River	
Lea	
Martin	

Area V shall include the following counties:

The Florida Keys of Monroe County extending south and west from and including Key Largo to and including Key West.

(A) Retail out-of-store or retail home-delivered sales.

Size of container	Area I (cents)		Area II (cents)		Area III (cents)		Area IV (cents)		Area V (cents)	
	Retail out-of- store	Retail home- deliv- ered	Retail out-of- store	Retail home- deliv- ered	Retail out-of- store	Retail home- deliv- ered	Retail out-of- store	Retail home- deliv- ered	Retail out-of- store	Retail home- deliv- ered
Quart (glass).....	17	17	17	18	18	19	19	19	22	22
Pint (glass).....	9	9	9	9	10	10	11	11	12	12
Half-pint (glass).....	5½	5½	5½	5½	6	6	6	6	6½	6½

Except. That the maximum price at which any seller may sell or deliver approved fluid milk in pints or half-pints shall be either the price set forth above or the maximum price for such container established by such seller under § 1499.2, General Provisions, of the General Maximum Price Regulation, whichever is higher.

One-third quart container sizes. The seller shall adjust his maximum price for one-third quart container sizes as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Milk packaged in paper containers. If milk packaged in paper containers was sold during May 1943 at a differential in price over milk of a similar grade sold in glass bottles, the seller may establish a maximum price for sales in paper by adding this differential for the appropriate package size to the maximum price established for him for sales in glass.

(B) Retail sales of approved fluid milk by hotels, restaurants, soda foun-

tains, cafes, bars and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, 3 cents per pint, 2½ cents per one-third quart and 2 cents per half pint.

(C) Retail sales other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises shall equal the listed wholesale prices.

(D) Certain wholesale sales. Wholesale sales in glass or paper containers to any person and wholesale sales other than in glass or paper containers to stores, hotels, restaurants, and institutions. This subdivision (D) shall not cover sales to the Army or Navy.

Size of container	Area I (cents)	Area II (cents)	Area III (cents)	Area IV (cents)	Area V (cents)
More than one gallon.....	56	56	60	64	76
Gallon.....	58	58	62	66	78
Quart (glass).....	15	15	16	17	20
Pint (glass).....	8	8	9	10	11
Half-pint (glass).....	4½	4½	4½	4½	5½

Except. That the maximum price at which any seller may sell or deliver approved fluid milk in pints or half-pints shall be either the price set forth above or the maximum price for such container established by such seller under § 1499.2, General Provisions, of the General Maximum Price Regulation, whichever is higher.

One-third quart container sizes. The seller shall adjust his maximum price for one-third quart container sizes as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Milk packaged in paper containers. If milk packaged in paper containers was sold during May 1943 at a differential in price over milk of a similar grade sold in glass bottles, the seller may establish a maximum price for sales in paper by adding this differential for the appropriate package size to the maximum price established for him for sales in glass.

(E) Special provision for Army and Navy sales in Florida. General provisions applicable to all states in the At-

lanta Regional Area, including Florida, for sales to the Army and Navy are set forth in § 1499.73a (a) (1) (vii) (b) below; *Provided*, That the premium referred to in (b) (1) therein shall be one cent instead of one-half cent.

6. The first sentence of § 1499.73a (a) (1) (vii) (b) (1) is amended to read as follows:

(1) (Note additional special provision for the State of Florida contained in § 1499.73a (a) (1) (vii) (a) (3) (E) above.) The maximum price for approved fluid milk sold and delivered by any person at any point in the Atlanta Regional Area to the Army and Navy in any size and type of container in the case of Florida, and in glass and paper containers of one quart or less in the case of the remainder of the Atlanta Regional Area shall be:

7. Section 1499.73a (a) (1) (vii) (b) (2) is amended in the headnote and twice in the first sentence by inserting before the word "March" the words "July 15, 1943, in the case of Florida and", and by inserting after the year "1943" the words "for

the remainder of the Atlanta Regional Area".

8. Section 1499.73a (a) (1) (vii) (b) (3) is added to read as follows:

(3) Persons who make sales to the Army and Navy in such quantity as to necessitate purchase of supplies of milk from areas outside their customary milkshed may apply to the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, for permission to charge maximum prices on such sales in excess of the maximums established herein. The Atlanta Regional Office is authorized to make adjustments in the maximum prices with respect to such Army and Navy sales where a hardship is imposed upon the distributor because of the higher costs of making such sales of outside milk.

9. In § 1499.73a (a) (1) (vii) (c) after the headnote "Premium milk" the following parenthetical sentence is added:

(In this subdivision (c) in the case of Florida insert "May" wherever "January" appears.)

10. In § 1499.73a (a) (1) (vii) (c) (1) the date "April 5, 1943" is deleted and the following is inserted instead: "August 10, 1943, in the case of Florida and April 5, 1943, in the case of the remainder of the Atlanta Regional Area".

11. In § 1499.73a (a) (1) (vii) (c) (2) the date "March 6, 1943" is deleted and the following is inserted instead: "July 15, 1943, in the case of Florida and April 5, 1943, in the case of the remainder of the Atlanta Regional Area".

12. Section 1499.73a (a) (1) (vii) (g) (4) is amended by deleting the words "January 1943" and inserting instead the words "May 1943 in the case of Florida, and January 1943 in the case of the remainder of the Atlanta Regional Area which premium is".

This amendment shall become effective July 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11416; Filed, July 15, 1943; 4:52 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 47]

MEAT, FATS, FISH, AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 22.5 is amended to read as follows:

SEC. 22.5 *Veterans' Administration and Coast and Geodetic Survey may apply for allotments under General Ration Order 5.* (a) Allotments of foods cov-

*Copies may be obtained from the Office of Price Administration.

18 F.R. 6446.

ered by this order for the Veterans' Administration and the Coast and Geodetic Survey will be granted in accordance with the provisions of General Ration Order 5.

This amendment shall become effective July 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 16th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-11436; Filed, July 16, 1943;
11:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 1, Amdt. 6]

PART 503—ADMINISTRATION

DELEGATIONS OF AUTHORITY; WATER TRANSPORT

Pursuant to Executive Order 8989, § 503.7 of Administrative Order ODT 1, as amended (8 F.R. 6001, 7285, 7620, 9034, 9571, 9631), is hereby amended by adding to paragraph (a) thereof a subparagraph numbered (6) to read as follows:

§ 503.7 *Water transport.* (a) * * *

(6) *Approval of sale, transfer, and charter of vessels.* To execute and issue in his discretion and in the name of the Director of the Office of Defense Transportation the approvals provided for in § 502.156 of General Order ODT 40 (8 F.R. 9167), or as amended hereafter, and to amend, modify, or revoke any such approvals. The authority conferred by this subparagraph may be exercised by such Assistant Director through such members of the staff of the Office of Defense Transportation as he may designate.

This Amendment 6 to Administrative Order ODT 1 shall become effective on July 15, 1943.

(E.O. 8989, 6 F.R. 6725).

Issued at Washington, D. C., this 15th day of July, 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

[F. R. Doc. 43-11401; Filed, July 15, 1943;
2:48 p. m.]

[Special Direction ODT 18, Rev. 5, Amdt. 2]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, SPECIAL DIRECTIONS

SUBPART C—CARLOAD FREIGHT TRAFFIC

Pursuant to § 500.22 of General Order ODT 18, Revised, as amended, *It is*

hereby ordered, That Amendment 1 to Special Direction ODT 18, Revised-5, as amended (8 F.R. 186, 4935) is superseded and in lieu thereof the following provisions are inserted in § 520.486 of Special Direction ODT 18, Revised-5 under and within the caption "Perishable Products":

Apples. (a) In standard boxes, shall be loaded to a weight not less than 39,900 pounds;

(b) When shipped loose in open-top, unlidded boxes, or in baskets of one bushel or less capacity, or in bulk, shall be loaded to a weight not less than 31,500 pounds.

Bananas. Shall be loaded to a weight not less than 23,000 pounds.

Beets. (Fresh harvested new beets) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Butter and butter substitutes. (Shipped from packing plants, creameries or warehouses) (a) When shipped fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;

(b) When shipped fresh, in tubs, or in fibre-board containers, or when shipped frozen, in prints, or other types of containers, shall be loaded to a weight not less than 45,000 pounds.

Cabbage. (Fresh harvested, new cabbage) (a) In bulk, or in sacks, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 316 crates;

(c) In half crates, shall be loaded with not fewer than 638 crates;

(d) In L. A. crates, when loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 364 crates.

Cabbage. Winter storage cabbage in cloth, burlap, or paper sacks, or in bulk, shall be loaded to a weight not less than 35,000 pounds.

Carrots. (Fresh harvested, new carrots) (a) in cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Carrots. Winter storage carrots in cloth, burlap, or paper sacks, or in bulk, shall be loaded to a weight not less than 40,000 pounds.

Cheese. In any type of container, or in bulk, when shipped from packing

plants or warehouses, shall be loaded to a weight not less than 40,000 pounds.

Citrus fruit. (a) Shipments in standard nailed boxes shall be loaded not less than 3 layers high; 2 layers, each box placed on end, and the top layer, each box placed on its bottom or side down, each layer to be the same length and width as the floor space of the car;

(b) Shipments in Bruce wire-bound crates, shall be loaded not less than 5 layers high, each crate placed bottom or side down, each layer to be the same length and width as the floor space of the car.

Cranberries. In quarter barrel boxes, shall be loaded each box placed down, 6 layers high, each layer to be the same length and width as the floor space of the car.

Eggs, dried. In any type of container, when moving from packing plants or warehouses, shall be loaded to a weight not less than 40,000 pounds.

Eggs, shell. In standard cases when shipped from packing plants, creameries, or warehouses, shall be loaded with not fewer than 600 cases.

*Frozen commodities.*¹ (Straight or mixed carload shipments) Frozen eggs, fruits, vegetables, juices, sea-food, poultry, and meats (except frozen eggs, in tin cans, or in paper containers, shipped during the months of July, August, or September, and frozen fruits, in barrels), when packed in cartons or other containers, in a closed freight car, shall be loaded to an elevation not lower than 18 inches from the roof of the car measured at its side walls, each layer of containers to be the same length and width as the floor space of the car.

*Frozen eggs.*¹ (Shipped during the months of July, August, or September) In tin cans, or in paper containers, shall be loaded not less than 3 tiers high, on end, each tier to be the same length and width as the floor space of the car.

*Fruits and berries.*² (Frozen or cold-pack) In barrels, shall be loaded each barrel on end, not less than 2 tiers high, each tier to be the same length and width as the floor space of the car.

*Grapes.*¹ (a) (Table varieties) In display or plain lug boxes, shall be loaded to a weight not less than 34,000 pounds;

(b) (Juice varieties) In any type of container, shall be loaded to a weight not less than 36,000 pounds.

Ice. In bars, or blocks, 150 pounds or more gross weight each, shall be loaded, each bar or block placed upright on end, in one tier, covering the entire floor space of the car.

Lettuce. (In Standard L. A. crates) (a) When loaded in standard refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 316 crates;

(b) When loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 364 crates.

Lard. (a) Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;

¹ Change from provisions of Amendment 1.

² New item not appearing in Amendment 1.

(b) Fresh, in tubs, or fibreboard containers; or frozen, in prints, or other types of containers, shall be loaded to a weight not less than 45,000 pounds.

Melons.¹ (Straight or mixed carload shipments) Watermelons, cantaloupes, honeyball, casaba, Persian, or honeydew melons, shall be loaded to a weight not less than 24,000 pounds.

Onions.¹ (a) (Fresh harvested, new onions) In any type of container, shall be loaded to a weight not less than 30,000 pounds;

(b) (Matured, dried, or storage onions) In any type of container, shall be loaded to a weight not less than 40,000 pounds.

Oysters. Shall be loaded to a weight not less than 12,500 pounds.

Peaches. (a) In full bushel baskets, shall be loaded not less than 3 layers high, each layer to be the same length and width as the floor space of the car;

(b) In half bushel baskets, shall be loaded not less than 4 layers high, each layer to be the same length and width as the floor space of the car;

(c) In standard crates, shall be loaded not less than 4 layers high, each layer to be the same length and width as the floor space of the car;

(d) In standard peach boxes, shall be loaded not less than 9 layers high, each layer to be the same length and width as the floor space of the car.

Potatoes. (Late crop, white, mature) (a) In cloth or burlap bags, paper sacks or boxes, containing 100 pounds or more each, shall be loaded to a weight not less than 45,000 pounds;

(b) In cloth or burlap bags, paper sacks or boxes, containing less than 100 pounds each, shall be loaded to a weight not less than 42,000 pounds;

(c) In bulk, shall be loaded to a weight not less than 40,000 pounds.

Potatoes. (Early crop, fresh harvested, white, immature) (a) In cloth or burlap bags, or paper sacks, shall be loaded to a weight not less than 30,000 pounds;

(b) In wooden crates, baskets, or tubs, shall be loaded to a weight not less than 31,500 pounds;

(c) In wooden boxes or barrels, shall be loaded to a weight not less than 36,000 pounds.

Pears. Winter variety, in any type of container, shall be loaded to a weight not less than 37,800 pounds.

Pineapples. In standard crates, shall be loaded not less than 5 layers high, each layer to be the same length and width as the floor space of the car.

Poultry—dressed. Fresh chilled, when shipped from packing plants, warehouses, or creameries, shall be loaded to a weight not less than 28,000 pounds.

Root vegetables. (Fresh harvested, in mixed carloads) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in refrigerator cars equipped with con-

vertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Shell eggs, dressed poultry and dairy products. (a) When shipped in mixed carloads from packing plants, warehouses, creameries, or points at which such shipments were assembled or consolidated for mixed carload movement, shall be loaded to a weight not less than 36,000 pounds;

(b) When shipped from producing areas in straight or mixed carloads, to warehouses, packing plants, processing plants, or points at which such shipments are assembled or consolidated for straight or mixed carload movement, which are located not more than 350 miles from the point of production, shall be loaded to a weight which equals or exceeds the applicable tariff minimum weight.

Sweet potatoes.² (a) (Fresh harvested) In bushel containers, shall be loaded 4 layers high, each layer to be the same length and width as the floor space of the car;

(b) (Kiln-dried) In bushel containers, shall be loaded not less than 5 layers high, each layer to be the same length and width as the floor space of the car.

Turnips. (Fresh harvested, new turnips) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Tomatoes.¹ (a) When packed in standard lug boxes and loaded solid throughout the full length and width of the car, the load shall consist of not less than 5 complete layers;

(b) When packed in standard lug boxes, and the load is divided by center gates, the load shall consist of not less than 6 complete layers in each half of the car and the space for center gates shall be no greater than the width of two stacks of lug boxes.

Amendment 1 to Special Direction ODT 18, Revised-5 is hereby revoked as of the effective date of this Amendment 2.

This Amendment 2 to Special Direction ODT 18, Revised-5 shall become effective July 15, 1943.

(E.O. 8989, 6 F.R. 6725, Gen. Order ODT 18, Revised, as amended, 7 F.R. 8337, 10083; 8 F.R. 5682).

Issued at Washington, D. C., this 15th day of July 1943.

V. V. BOATNER,
Director, Division of
Railway Transport.

[F. R. Doc. 43-11400; Filed, July 15, 1943;
2:48 p. m.]

¹ Change from provisions of Amendment 1.

² New item not appearing in Amendment 1.

Notices

CIVIL AERONAUTICS BOARD.

[Docket Nos. 300 and 499]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and services connected therewith of Pan American Airways, Inc. in the transpacific operations.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on July 22, 1943, 10:00 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW, Washington, D. C., before the Board.

Dated July 15, 1943.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-11426; Filed, July 16, 1943;
10:01 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 49 Under Service Order 123]

COMMON CARRIERS BY RAILROAD

REICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

Any common carrier by railroad to accord a second reicing after the first or initial icing and one reicing to NRC 5315 containing potatoes from Eloy, Arizona, now on hand at the Chicago Produce Terminal Company tracks, Chicago, Illinois, consigned, Louis Cohen Co., Inc., Chicago.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 3d day of July 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-11435; Filed, July 16, 1943;
11:37 a. m.]

OFFICE OF PRICE ADMINISTRATION.
Regional, State, and District Office
Orders.

[Region I Order G-20]

FLUID MILK IN THE STATE OF RHODE ISLAND

Order No. G-20 under § 1499.18 (c), of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c), of the General Maximum Regulation, as amended by Amendment No. 33, by § 1351.807 of Maximum Price Regulation No. 280, as amended, and by § 1351.408

of Maximum Price Regulation No. 329, It is hereby ordered:

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation and by § 1351.803 of Maximum Price Regulation No. 280 for fluid milk sold or delivered in the Rhode Island Milk Marketing Areas, as defined in Appendix A of this order, and established by § 1351.403 of Maximum Price Regulation No. 329 for fluid milk bought or received from producers in Region I for ultimate resale as fluid milk in such areas, are modified so that the maximum prices for such fluid milk shall be the prices specified in the applicable schedule below:

(1) Rhode Island Milk Marketing Areas 1; 2A; 2B; 2C.

Milk	Retail: Delivered	Retail: Over counter	Wholesale: To stores, schools, restaurants, etc.	Wholesale: Dealer to peddlers (per quart)
Quart bottles.....	\$0.16	\$0.15	\$0.13	\$0.123
Pint bottles.....			.07	.13
10-ounce bottles.....			.05	.13
Half-pint bottles.....			.04	.13
8-quart cans.....			1.09	
10-quart cans.....			1.25	
40-quart cans.....			4.89	

Producer price: \$4.25 per hundredweight.

(2) Rhode Island Milk Marketing Area 5A.

Milk	Retail: Delivered	Retail: Over counter	Wholesale: To stores, schools, restaurants, etc.	Wholesale: Dealer to peddlers (per quart)
Quart bottles.....	\$0.16	\$0.16	\$0.14	\$0.13
Pint bottles.....			.03	.133
10-ounce bottles.....			.05	.133
Half-pint bottles.....			.04	.133
8-quart cans.....			1.04	
10-quart cans.....			1.29	
40-quart cans.....			4.89	

Producer price: \$4.25 per hundredweight.

(3) Rhode Island Milk Marketing Areas 3, 4A, 4B, 4C, 5C, 6.

Milk	Retail: Delivered	Retail: Over counter	Wholesale: To stores, schools, restaurants, etc.	Wholesale: Dealer to peddlers (per quart)
Quart bottles.....	\$0.15	\$0.14	\$0.125	\$0.12
Pint bottles.....			.07	.123
10-ounce bottles.....			.0775	.123
Half-pint bottles.....			.0375	.123
8-quart cans.....			.95	.123
10-quart cans.....			1.29	
40-quart cans.....			4.49	

Producer price: \$4.00 per hundredweight.

(4) Rhode Island Milk Marketing Area 5B.

Milk	Retail: Delivered	Retail: Over counter	Wholesale: To stores, schools, restaurants, etc.	Wholesale: Dealer to peddlers (per quart)
Quart bottles.....	\$0.16	\$0.16	\$0.135	\$0.13
Pint bottles.....			.07	.133
10-ounce bottles.....			.05	.133
Half-pint bottles.....			.04	.133
8-quart cans.....			1.09	
10-quart cans.....			1.25	
40-quart cans.....			4.89	

Producer price: \$4.25 per hundredweight.

(b) The prices set in paragraph (a) of this order are subject to the following qualifications:

(1) The above "Retail: Delivered" prices shall include sales for home consumption by any person, whether sold

for cash or on credit, and whether sold on the premises or delivered, except as provided in subparagraph (2), (6) and (7) hereof.

(2) The above "Retail: Over counter" prices shall include sales for home consumption by stores where the milk is sold over the counter and is not delivered, except as provided in subparagraph (7) hereof.

(3) The above "Wholesale: to stores, schools, restaurants, etc." prices shall include delivered sales to stores, schools, restaurants, hotels, institutions, and government agencies, either for consumption or for resale to consumers.

(4) The above "Wholesale: Dealer to peddlers" prices shall be the maximum prices per quart at dealer's platform and shall apply to sales to sub-dealers or peddlers by a dealer who processes, stores and also supplies milk; and containers for such sub-dealer or peddler. When the selling dealer does not supply the containers, the maximum price at the dealer's platform shall be one cent less per quart.

(5) The above "Producer price" fixed for each milk marketing area shall be applicable to fluid milk bought or received from producers in Region I for ultimate resale for human consumption as fluid milk in such milk marketing area.

(6) The maximum price for milk sold by a producer thereof directly to the consumer at the dairy on the premises where produced shall be three cents per quart less than the above "Retail: Over counter" price in the particular milk marketing area if the consumer provides the container, and two cents per quart less than the above "Retail: Over counter" price in such area if the producer without charge provides the container.

(7) The maximum price for all milk supplied to consumers in a particular milk marketing area under authority of any charitable or welfare agency shall be three cents less per quart container than the above "Retail: Delivered" prices for such area. The maximum price for all milk sold to recognized charitable institutions in any container shall be at the rate of two cents per quart less than the above "Wholesale: to stores, schools, restaurants, etc." prices. This subparagraph (7) shall not apply to any transaction in which the charitable or welfare agency or the charitable institution involved has not been approved by the Rhode Island Milk Control Board.

(8) A deposit charge of not more than five cents per bottle may be made to and by stores purchasing milk in glass bottles for resale, such bottles to be redeemed at the same price as is thus charged.

(9) When sale is made at wholesale or retail in a paper container, an additional charge of not more than one cent per container may be made over and above the applicable prices specified in the respective schedules as set forth above.

(10) All other customary deposit charges and price differentials for special milk, including but not limited to Grade A milk, flavored milk, trade marked milk, and milk of specially high or low butter-fat content, which any seller (or pur-

chaser from a producer) had in effect during the base period, may be added to or must be subtracted from, as the case may be, the maximum prices for standard milk as fixed in this order. The base period to be used for computing all such differentials shall be:

(i) For sales of fluid milk subject to the General Maximum Price Regulation, March 1942.

(ii) For sales of fluid milk subject to Maximum Price Regulation No. 280, the period September 28, 1942, to October 2, 1942, inclusive.

(iii) For purchases of fluid milk from producers subject to Maximum Price Regulation No. 329, January 1943.

(11) Where the total bill at the time of sale, if sold for cash, or at the end of any billing period, comes out at a fraction of a cent, the seller may charge the next higher cent.

(c) Each milk distributor selling milk subject to this order to purchasers for purposes of resale shall promptly notify such purchasers in writing of the maximum prices permitted by this order for sales by the distributor and by such purchasers, and of the requirement that such maximum prices be posted by such purchasers in accordance with the provisions of section 13 of the General Maximum Price Regulation.

(d) Unless the context otherwise requires, the definitions set forth in the regulation applicable to any sale of any fluid milk under this order shall apply to the terms used herein with reference to such sale.

(e) This order, on and after its effective date, shall supersede Region I Price Order 13 (redesignated as Order No. G-13), under § 1499.18 (c), as amended, of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280—Fluid Milk in Rhode Island Milk Marketing Areas 4A and 4B.

(f) This order may be revoked, amended or corrected at any time. This order shall become effective April 1, 1943, at 12:01 a. m.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

APPENDIX A

RHODE ISLAND MILK MARKETING AREAS

Area number

- 1----- The Cities of Providence, Pawtucket, Central Falls, all of the City of Warwick except Potowomut Neck, all of the City of Cranston except that area in the southwesterly corner of said City bounded by a circle within a two-mile radius centered at the junction of the westerly boundary of said City and the northerly boundary of the Town of Coventry; and the Towns of North Providence, East Providence, Barrington, Johnston, Smithfield, and those parts of the Towns of Lincoln and Cumberland within a distance of two miles from the outer limits of the City of Central Falls.
- 2A----- The City of Woonsocket, the Town of North Smithfield, and such parts of the Towns of Lincoln and Cumberland as are not included in Area 1.

Area number

- 2B----- The towns of Bristol and Warren.
- 2C----- The Towns of East Greenwich, West Warwick, North Kingstown, and that portion of the City of Warwick known as Potowomut Neck, such part of the City of Cranston as is not included in Area 1, and that part of the Town of Coventry east of the Victory Highway (Route #102).
- 3----- The Town of Burrillville.
- 4A----- The Town of Westerly.
- 4B----- The Towns of Charlestown, South Kingstown, Narragansett, Richmond and Hopkinton.
- 4C----- The Town of Jamestown.
- 5A----- The City of Newport.
- 5B----- The Town of Tiverton.
- 5C----- The Towns of Middletown, Portsmouth, and Little Compton.
- 6----- The Towns of Glocester, Foster, West Greenwich, Exeter, New Shoreham, and such parts of the Towns of Scituate and Coventry as are not included in Area 2C.

[F. R. Doc. 43-11349; Filed, July 15, 1943; 11:56 a. m.]

[Region I Order G-20, Correction]

FLUID MILK IN THE STATE OF RHODE ISLAND

Correction of Order Number G-20 under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

The section reference to Maximum Price Regulation No. 329 in paragraph (a) which reads "§ 1351.403" is corrected to read "§ 1351.402."

This correction shall become effective as of April 1, 1943, at 12:01 a. m.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-11350; Filed, July 5, 1943; 11:56 a. m.]

[Region I Order G-20, Amdt. 1]

FLUID MILK IN THE STATE OF RHODE ISLAND

Amendment 1 to Order No. G-20 under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment No. 33, and by § 1351.807 of Maximum Price Regulation No. 280, as amended, *It is hereby ordered*, That subparagraph (12) be added to paragraph (b), that the line "This order shall become effective April 1, 1943, at 12:01 a. m." be designated as paragraph (g), and that paragraph (h) be added, to read as set forth below:

(12) Where fluid milk is delivered between June 1 and September 30, both dates inclusive, by a dealer to a summer establishment in a milk marketing area other than the one in which the dealer's place of business is located, his maximum price for such milk shall be the maximum price for such milk in the marketing area in Region I in which his place of business is located if such price is

higher than that in the marketing area in which he delivered the milk. Any summer establishment which resells such milk may increase its maximum price therefor by the exact amount of the increase in the cost of such milk to it effected by this subparagraph (12). "Summer establishment" shall include any retail store, hotel, boarding house, restaurant, camp, dwelling or other living or retail selling establishment which is not regularly occupied or operated, as the case may be, at any time during the year except for one or more periods between June 1 and September 30, both dates inclusive.

(g) This order shall become effective April 1, 1943, at 12:01 a. m.

(h) Amendments to Region I Order Number G-20 shall become effective as follows:

(1) Amendment No. 1 shall become effective as of June 1, 1943, at 12:01 a. m.

Issued this 4th day of June 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-11351; Filed, July 15, 1943; 11:56 a. m.]

[Region VIII Order G-17]

MOTOR VEHICLE CARRIERS IN THE SAN FRANCISCO BAY AREA

Order No. G-17 under § 1499.18 (c), as amended, of the General Maximum Price Regulation, (Formerly Order No. 21)—Adjustment of Maximum Prices of Motor Vehicle Carriers Other Than Common Carriers in the San Francisco Bay Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*:

(a) The maximum prices established by the General Maximum Price Regulation for service rendered by carriers by motor vehicle other than common carriers are hereby adjusted by authorizing each such carrier to charge to the consignee, in addition to the existing maximum price for such service, a further sum determined as hereinafter provided, under the following conditions:

(1) In the case of shipments weighing 10,000 lbs. or more, where the consignee, having been notified not later than 3:30 p. m. on a Friday that a shipment will be delivered on the following day, and where such shipment is actually available for delivery between the hours of 8 a. m. and 5 p. m. on the following day, but the consignee refuses to accept the shipment.

(2) In the case of shipments weighing less than 10,000 lbs. where the consignee refuses to accept delivery of such shipment between the hours of 8 a. m. and 12 o'clock noon on Saturday, or where the consignee refuses to accept delivery of such shipment between the hours of 1 p. m. and 5 p. m. on Saturday after having been notified not later than 10 a. m. on said day that such shipment is available for delivery and that delivery will be made.

(b) The amount of the additional charge which may be made shall be an amount equal to that which would result from the application of the drayage rate established by the California Railroad Commission as minimum by Decision No. 28632 of March 16, 1936, as amended, in Case No. 4084 and Decision No. 29217 of October 26, 1936, as amended, in Case No. 4108, and as set forth in City Carriers' Tariffs Nos. 1 and 2, for the transportation of the same kind and quantity of property between points within the San Francisco or East Bay Drayage zone in which the point of destination is located, other than the rates provided by or set forth in sections 3 and 4 of said tariffs.

(c) This order shall apply to transportation having point of destination within the City and County of San Francisco, or within the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, or Piedmont, in the County of Alameda, California.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of April 1943.

FRANK E. MARSH,
Regional Administrator.

[F. R. Doc. 43-11397; Filed, July 15, 1943;
12:37 p. m.]

[Region VIII Order G-18]

MOTOR VEHICLE CARRIERS IN THE LOS ANGELES AREA

Order No. G-18 under § 1499.18 (c), as amended, of the General Maximum Price Regulation—Adjustment of Maximum Prices of Motor Vehicle Carriers Other Than Common Carriers in the Los Angeles Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices established by the General Maximum Price Regulation for service rendered by carriers by motor vehicles other than common carriers are hereby adjusted by authorizing each such carrier to charge to the consignee, in addition to the existing maximum price for such service, a further sum determined as hereinafter provided, under the following conditions:

(1) In the case of shipments of all weights, where the consignee refuses to accept delivery on any day from Monday to Friday, inclusive, between the hours of 8:00 a. m. and 12:00 o'clock noon, or between the hours of 1:00 p. m. and 5:00 p. m.

(2) In the case of shipments weighing 10,000 lbs. or more, where the consignee, having been notified not later than 3:30 p. m. on a Friday that a shipment will be

delivered on the following day, and where such shipment is actually available for delivery between the hours of 8:00 a. m. and 5:00 p. m. on the following day, but the consignee refuses to accept the shipment.

(3) In the case of shipments weighing less than 10,000 lbs. where the consignee refuses to accept delivery of such shipment between the hours of 8:00 a. m. and 12:00 o'clock noon on Saturday, or where the consignee refuses to accept delivery of such shipment between the hours of 1:00 p. m. and 5:00 p. m. on Saturday after having been notified not later than 10:00 a. m. on said day that such shipment is available for delivery and that delivery will be made.

(b) The amount of the additional charge which may be made shall be an amount equal to that which would result from the application of the rates established by the California Railroad Commission as minimum by Decision No. 32504, as amended, in Case No. 4121, and as set forth in Sections 2, 3, and 4 of City Carriers' Tariff No. 4—Highway Carriers' Tariff No. 5, for the transportation of the same kind and quantity of property between points within the one of which the point of destination is located.

(c) This order shall be applicable to transportation having point of destination within the Los Angeles drayage area, as described in items 30 to 33 series inclusive, of City Carriers' Tariff No. 4 and Highway Carriers' Tariff No. 5, as issued by the California Railroad Commission in its Decision No. 3250, Case No. 4121.

(d) This order may be revoked, amended, or corrected at any time. This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of May 1943.

FRANK E. MARSH,
Regional Administrator.

[F. R. Doc. 43-11398; Filed, July 15, 1943;
12:37 p. m.]

[Region VIII Order G-19]

TRANSPORTATION OF POTATOES IN KERN COUNTY, CALIFORNIA

Order No. G-19 under § 1499.18 (c), as amended, of the General Maximum Price Regulation—Adjustment of Maximum Prices for the Transportation of Potatoes by Truck from Field to Packing Shed in Kern County, California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration of § 1499.18 (c) as amended, by the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices which may be charged by any carrier other than a common carrier for the service of hauling potatoes by truck in Kern County

from the field in which they were grown to the shed at which they are to be washed, graded and sacked, including loading at the field and unloading at the shed, shall be the following:

(1) Where the distance from field to shed is less than seven miles, the adjusted maximum price shall be \$1.35 per ton.

(2) Where the distance from field to shed is seven miles or more, but less than twelve miles, the adjusted maximum price shall be \$1.50 per ton.

(3) Where the distance from field to shed is twelve miles or more, the adjusted maximum price shall be \$1.60 per ton.

(b) Any maximum price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

(d) This order shall become effective upon its issuance, and shall remain in effect for a period of sixty days thereafter.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 10th day of May, 1943.

BERT C. DUNNWAY,
Acting Regional Administrator.

[F. R. Doc. 43-11393; Filed, July 15, 1943;
12:42 p. m.]

[Region VIII Order G-20]

TRANSPORTATION OF POTATOES IN KERN COUNTY, CALIFORNIA

Order No. G-20 under § 1499.18 (c) as amended of the General Maximum Price Regulation—Adjustment of Maximum Prices for the Transportation of Potatoes Purchased by the Government of the United States from Kern County to Various Points in California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices which may be charged by any carrier other than a common carrier for the service of hauling by truck potatoes purchased by the United States Government or any agency thereof, from any point in Kern County, California to any point in California, shall be determined as follows:

(1) Where the point of destination is any of the points listed in Appendix A, attached hereto, the maximum price shall be the price listed in Appendix A, opposite the point of destination involved.

(2) Where the point of destination is a point not listed in Appendix A, the maximum price shall be the price specified for that point listed in Appendix A, which is closest to the point of destination involved.

(b) Any maximum price determined under this order shall be subject to further adjustment at any time by the Office of Price Administration.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

(d) This order shall become effective upon its issuance, and shall remain in

effect for a period of ninety days thereafter.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 14th day of May 1943.

FRANK E. MARSH,
Regional Administrator.

APPENDIX A

Point of destination and approximate location:	Adjusted maximum price per 100 pounds
Benicia Arsenal, within city limits of Benicia	\$.37
Camp Beale, within city limits of Marysville	.40
Camp Clayton, 11 miles from Salinas	.29
Camp Cook, 9 miles NW. of Lompoc	.26
Camp Dunlap, 3-5 miles NE. of Niland	.40
Camp Elliot, 3 miles S. of Miramar	.33
Camp Haan, 10.5 miles SE. of Riverside	.28
Camp Ibes, 22 miles N. of Needles	.40
Camp Kearney, 15 miles S. & E. of Del Mar	.33
Camp Kohler, 12 miles from Sacramento	.34
Camp Laws, 5 miles N. of Bishop	.31
Camp Lockett, 6 miles NW. of Campo	.42
Camp Marion, 7 miles from San Luis Obispo	.23
Camp Marr, 36 miles N. of Barstow	.25
Camp McClelland Field, 9½ miles NE. of Sacramento	.34
Camp McQuaide, 6 miles from Watsonville	.31
Camp Ono, 4 miles N. of San Bernardino	.25
Camp Pendleton, 3 miles N. & 7 E. of Oceanside	.29
Camp Pinedale, 7 miles N. of Fresno	.18
Camp Roberts, 5 miles N. of San Miguel	.20
Camp San Luis Obispo, 6 miles NW. of San Luis Obispo	.23
Camp Seeley, 1 mile beyond Seeley	.42
Camp Stoneman, Pittsburgh	.33
Fort Ord, 9 miles from Salinas	.29
Gardner Field, near Taft, California	.10
Hamilton Field, 8 miles N. of San Rafael	.40
Hammer Air Field, near Fresno	.18
Mare Island Naval Yard, 2 miles from Vallejo	.37
March Field, 10.5 miles SE. of Riverside	.28
Mather Field, 14 miles NE. of Sacramento	.34
Minter Field, 10 miles N. of Bakersfield	.10
Muroc Bombing Range, 12 miles NE. of Muroc	.17
North Island Naval Air Station, 3½ miles N. of Coronado	.34
Reams Field, 17 miles SE. of San Diego, near San Ysidro	.34
Rockwell Field, 4 miles N. of Coronado	.34
Santa Ana Army Air Base, 6.5 miles SE. of Santa Ana	.23
U. S. Army Munitions Base, 10 miles NW. of Doyle	.56
Wagoner Field Naval Air Training Station, 3 miles from Livermore	.31
Camp Anza, Riverside, California	.26
San Bernardino Air Depot, San Bernardino, California	.25
Victorville Army Flying School, Victorville, California	.23
Manzanar Relocation Center, Manzanar, California	.28
Camp Mathews, Linda Vista, California	.31
Las Vegas Air Corps School, near Las Vegas, Nevada	.37
Torney General Hospital, Palm Springs, California	.31
Port Hueneme, near Oxnard, California	.21
All points in the City of San Diego, California	.33
All points in the City and County of San Francisco, California	.37
All points in San Pedro, California	.22
All points in the City of Los Angeles, California, except San Pedro	.21

[F. R. Doc. 43-11391; Filed, July 15, 1943; 12:37 p. m.]

[Region VIII Order G-21 Under 18 (c)]

FUEL WOOD AT REPUBLIC, WASHINGTON

Order No. G-21 under § 1499.18 (c), as amended, of the General Maximum Price Regulation—Adjustment of maximum prices for fuel wood sold to governmental users at Republic, Washington.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any seller for firewood of the kinds hereinafter described sold to any federal, state, county, municipal or other governmental agencies located in Republic, Washington, are hereby established to be the following, delivered to the premises of the buyer:

\$8.00 per cord for fir and tamarack forest wood in 4 foot lengths.

\$6.00 per cord for heavy firm and tamarack tie slabs in 4 foot lengths.

(b) No seller affected by this order shall change his discounts, differentials

and price allowances in effect during March 1942, unless such change results in a lower price.

(c) This order may be revoked, amended, or corrected at any time.

(d) Unless the context otherwise requires, the definitions set forth in section 20 of the General Maximum Price Regulation as amended shall apply to the terms used herein.

This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of May 1943.

FRANK E. MARSH,
Regional Administrator.

[F. R. Doc. 43-11438; Filed, July 15, 1943; 12:36 p. m.]

[Region VIII Order G-22 Under 18 (c)]

TRANSPORTATION OF MANUFACTURING MILK IN CALIFORNIA

Order No. G-22 under § 1499.18 (c), as amended, of the General Maximum Price Regulation—Adjusted maximum prices for the transportation of manufacturing milk by carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price which may be charged by any carrier other than a common carrier for the service, rendered to any manufacturing milk processor whose plant is located in any of the counties in California named below, of hauling manufacturing milk by truck to such plant, shall be a price approved by the District Office of the Office of Price Administration having jurisdiction over the locality in which the processor's plant is situated, upon the filing of the following in duplicate by the particular carrier:

(1) A statement signed by the carrier stating his established maximum price determined under the General Maximum Price Regulation as amended, and requesting an adjusted maximum price which may not exceed the sum of the established maximum price and an increase amounting to not more than 10% of the existing maximum price, and also not more than an amount which will compensate for the increase during the first five months of 1943 over the first five months of 1942 in the cost to the carrier of any of the following items: Fuel and lubrication, repair and maintenance, tires and tubes, and labor supplied by employees of the carrier.

(2) A statement signed by the manufacturing milk processor certifying that he is willing to pay the higher price requested by the carrier, that the processor will not pass on the increase in the carrier's price in any form to any of his customers, that the processor will not use the increased price in any way as the basis for an application for adjustment of his maximum price for any com-

modity or service, and that any application filed by the processor will be filed upon the basis of the maximum price for the transportation service as established by the General Maximum Price Regulation as amended.

(b) The appropriate District Office of the Office of Price Administration shall, after the filing of the statements described in paragraph (a) above, approve or disapprove the requested adjusted maximum price in writing. Such approval or disapproval may be in the form of a letter addressed to the carrier and signed by the District Director or Acting District Director. If the appropriate District Office should, within 15 days from the filing of the statements, fail to approve or disapprove the requested adjusted maximum price, it shall be deemed to have been approved subject to subsequent disapproval or adjustment at any time by the said District Office.

(c) This order shall be applicable to carriers other than common carriers hauling milk to manufacturing milk processing plants located in any of the following counties in the State of California: Alpine, Amador, Butte, Calaveras, Colusa, Eldorado, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba.

(d) Definitions: For the purposes of this order.

(1) The term "manufacturing milk" means liquid cow's milk in a raw unprocessed state which is purchased for purposes other than resale for human consumption as fluid milk.

(e) This order may be revoked or amended or corrected at any time.

This order shall become effective June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of June 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-11439; Filed, July 15, 1943;
12:36 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-758]

SCRANTON-SPRING BROOK WATER SERVICE
COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of July, A. D. 1943.

Notice is hereby given that a declaration or application (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Scranton-Spring Brook Water Service Company, which in turn is a subsidiary of Federal Water and Gas Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than July 29, 1943 at 5:30 p. m., e. v. t. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Scranton-Spring Brook proposes to merge with itself 62 of its wholly-owned, inactive subsidiaries which serve no purpose except to hold charters or franchises, etc. The merger will be effected through the acquisition by Scranton of the assets of such subsidiaries in exchange for the common stock of the respective companies, such stocks being the only securities outstanding.

Sections 9, 10, 11 and 12 of the Act and Rules U-42 and U-43 promulgated thereunder have been designated by Scranton-Spring Brook Water Service Company as applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-11424; Filed, July 16, 1943;
9:43 a. m.]

SELECTIVE SERVICE SYSTEM.

[Order 114]

MOUNT WEATHER PROJECT, VA.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

J. Lewis B. Hershey, Director of Selective Service, by virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-313, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the Mount Weather Project to be work of national importance, to be known as Civilian Public Service Camp No. 114. Said project, located near Bluemont, Loudoun County, Virginia, will be the base of operations for work under the direction of the Weather Bureau, Department of Commerce, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to

said project in lieu of their induction for military service.

Men assigned to said project will be engaged in plotting weather data on the daily Northern Hemisphere charts for use of meteorologists in their study of past weather conditions in an effort to increase the accuracy of long range weather forecasts. Selected men will be trained in making weather observations, including the operation of radiosonde devices; these men to be assigned to isolated weather stations for which it is difficult to supply personnel. The men will be under the direction of the Weather Bureau, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Department of Commerce. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JULY 13, 1943.

[F. R. Doc. 43-11494; Filed, July 15, 1943;
4:31 p. m.]

WAR PRODUCTION BOARD.

ASHBACH AND RUBLOFF, ETC.

CONSENT ORDER

Leonard Ashbach and Harry L. Rubloff, a partnership, doing business as Ashbach and Rubloff, Domestic Distributing Company, or M. L. Gersh Furniture Company, 152 East Huron Street, Chicago, Illinois, were charged in a letter from the Regional Compliance Chief of the Chicago Regional Office of the War Production Board with having violated Limitation Order L-183 in that between January 1, 1943 and April 24, 1943 they manufactured, produced, fabricated or assembled electronic equipment, namely, approximately 2,380 radio sets by converting the use or mode of operation of said radio sets from automobile radios to radios for home use pursuant to orders bearing no preference ratings, and transferred approximately 3,830 radio sets on orders which did not bear a preference rating of A-3 or higher. Ashbach and Rubloff, Domestic Distributing Company, and M. L. Gersh Furniture Company, by Leonard Ashbach and Harry L. Rubloff, admit the aforementioned violations as charged, and have consented to the issuance of the within Order.

Wherefore, upon agreement and consent of the Respondents, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, it is hereby ordered, That:

(a) Leonard Ashbach and Harry L. Rubloff, doing business as Ashbach and Rubloff, Domestic Distributing Company, M. L. Gersh Furniture Company or otherwise, their successors and assigns, are hereby prohibited from selling, leasing, trading, lending, shipping, transferring, or negotiating for the sale of any elec-

tronic equipment, as defined in Limitation Order L-265, except to fill preferred orders, as defined in Limitation Order L-265, or unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Leonard Ashbach and Harry L. Rubloff, doing business as Ashbach and Rubloff, Domestic Distributing Company, M. L. Gersh Furniture Company or otherwise, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 15, 1943 and shall expire on September 15, 1943.

Issued this 15th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11418; Filed, July 15, 1943;
4:56 p. m.]

JACKSON INDUSTRIES, ETC.

CONSENT ORDER

David Krechman, doing business as Jackson Industries or Jackson Radio Sales and Service, 220 West Huron Street, Chicago, Illinois, was charged in a letter dated June 7, 1943 from the Regional Compliance Chief of the Chicago Regional Office of the War Production Board with having violated Limitation Order L-183 in that between January 1, 1943 and April 24, 1943 he manufactured, produced, fabricated or assembled electronic equipment, namely, approximately 6,852 radio sets by converting the use or mode of operation of said radio sets from automobile radios to radios for home use pursuant to orders bearing no preference ratings. David Krechman admits the aforementioned violations as charged, and has consented to the issuance of the within order.

Wherefore, upon agreement and consent of the Respondent, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) David Krechman, doing business as Jackson Industries, Jackson Radio Sales and Service or otherwise, his successors and assigns, are hereby prohibited from selling, leasing, trading, lending, shipping, transferring, or negotiating for the sale of any electronic equipment, as defined in Limitation Order L-265, except to fill preferred orders, as defined in Limitation Order L-265, or unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve David Krechman, doing business as Jackson Industries, Jackson Radio Sales and Service or otherwise, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 15, 1943, and shall expire on September 15, 1943.

Issued this 15th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11419; Filed, July 15, 1943;
4:56 p. m.]

ALEXANDER'S DEPARTMENT STORE, INC.

CONSENT ORDER

Alexander's Department Stores, Inc., a New York corporation engaged in the retail distribution of consumers' goods as a department store in the City of New York, is charged by the Regional Compliance Chief of the New York Regional Office of the War Production Board with violating Limitation Order L-219, in that during the period May 1, 1943, through July 3, 1943, it had receipts of consumers' goods amounting to approximately \$1,600,000, whereas the allowable receipts of the company, under the terms of said order, amounted to approximately \$1,200,000. Alexander's Department Stores, Inc., admits the excessive receipts as charged, and consents to the issuance of the within order.

Wherefore, upon the agreement and consent of the Respondent, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Up to and including July 25, 1943, Alexander's Department Stores, Inc., its successors or assigns, shall receive no consumers' goods other than such receipts as are permissible under the letter of grant from the War Production Board dated June 28, 1943, bearing symbols "Case No. 515; HLW", together with any modifications and amendments thereto.

(b) During the third quarterly period, commencing on August 2, 1943, Alexander's Department Stores, Inc., its successors or assigns, shall in all ways conduct its operations as if it were a controlled merchant, as defined in Limitation Order L-219, whose mercantile inventory is greater than its inventory limit at the beginning of the quarterly period.

(c) During the third quarterly period, commencing August 2, 1943, Alexander's Department Stores, Inc., shall not receive consumers' goods in excess of 85 per cent of its allowable receipts for such quarterly period as computed in accordance with Limitation Order L-219: *Provided, however,* That nothing in this order shall prevent Alexander's Department Stores, Inc., from making an application for relief on the merits to the War Production Board, and nothing contained herein shall preclude such relief from being granted.

(d) Nothing contained in this order shall be deemed to relieve Alexander's Department Stores, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect upon issuance and shall expire November 1, 1943.

Issued this 15th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11420; Filed, July 15, 1943;
4:56 p. m.]

LYNN STEWART COMPANY

CONSENT ORDER

Lynn Stewart, doing business as Lynn Stewart Company, 3900 Sheridan Road, Chicago, Illinois, was charged in a letter dated June 7, 1943 from the Regional Compliance Chief of the Chicago Regional Office of the War Production Board with having violated Limitation Order L-183 in that between January 1, 1943 and April 24, 1943 he manufactured, produced, fabricated or assembled electronic equipment, namely, approximately 3,953 radio sets by converting the use or mode of operation of said radio sets from automobile radios to radios for home use pursuant to orders bearing no preference ratings, and transferred such electronic equipment on orders which did not bear a preference rating of A-3 or higher. Lynn Stewart admits the aforementioned violations as charged, and has consented to the issuance of the within Order.

Wherefore, upon agreement and consent of the Respondent, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Lynn Stewart, doing business as Lynn Stewart Company or otherwise, his successors and assigns, are hereby prohibited from selling, leasing, trading, lending, shipping, transferring, or negotiating for the sale of any electronic equipment, as defined in Limitation Order L-265, except to fill preferred orders, as defined in Limitation Order L-265, or unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Lynn Stewart, doing business as Lynn Stewart Company or otherwise, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 15, 1943 and shall expire on September 15, 1943.

Issued this 15th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11421; Filed, July 15, 1943;
4:56 p. m.]

HENRY GOLDSMITH

CONSENT ORDER

Henry Goldsmith, 222 North Wells Street, Chicago, Illinois, was charged in

a letter dated June 7, 1943 from the Regional Compliance Chief of the Chicago Regional Office of the War Production Board with having violated Limitation Order L-183 in that between January 1, 1943 and April 24, 1943 he manufactured, produced, fabricated or assembled electronic equipment, namely, approximately 519 radio sets by converting the use or mode of operation of said radio sets from automobile radios to radios for home use pursuant to orders bearing no preference ratings, and transferred such electronic equipment on orders which did not bear a preference rating of A-3 or higher. Henry Goldsmith admits the aforementioned violations as charged, and has consented to the issuance of the within order.

Wherefore, upon agreement and consent of the Respondent, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Henry Goldsmith, his successors and assigns, are hereby prohibited from selling, leasing, trading, lending, shipping, transferring, or negotiating for the sale of any electronic equipment, as defined in Limitation Order L-265, except to fill preferred orders, as defined in Limitation Order L-265, or unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Henry Goldsmith, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 15, 1943 and shall expire on September 15, 1943.

Issued this 15th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11422; Filed, July 15, 1943;
4:56 p. m.]

STANDARD CYCLE AND AUTO SUPPLY COMPANY

CONSENT ORDER

Standard Cycle and Auto Supply Company, a corporation, doing business at 22 Rowley Street, Winsted, Connecticut, is charged by the Regional Compliance Chief of the Boston Regional Office of the War Production Board with violations of Limitation Order L-70, in that said Company, between April 1, 1942, and July 21, 1942, delivered or caused to be delivered to service stations and bulk consumers approximately 99,300 gallons of motor fuel in excess of said customers monthly quotas. Standard Cycle and Auto Supply Company admits the violations as charged but claims that they were not wilful. It certifies that its average monthly receipts of motor fuel for distribution and resale during the months of March, April and May, 1943, were 137,200 gallons.

Wherefore, upon the agreement and consent of the Respondent, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) During each of the months of July through November, 1943, Standard Cycle and Auto Supply Company, its successors or assigns, shall not accept delivery of,

or receive, directly or indirectly, more than 125,000 gallons of motor fuel, as defined in Limitation Order L-70, except that if during any one of said months said company receives less than 125,000 gallons, it may add to its receipts in the following month the difference between 125,000 gallons and the lesser amount actually received.

(b) The service station located at 22 Rowley Street, Winsted, Connecticut, owned and operated by said Standard Cycle and Auto Supply Company, shall not accept delivery of, or receive, directly or indirectly, any motor fuel, from any other supplier than said Standard Cycle and Auto Supply Company during the months of July through November, 1943, nor in any other manner attempt to avoid the effect of the above restriction upon receipts of said company.

(c) Neither said Standard Cycle and Auto Supply Company, nor its officers, will enter, directly or indirectly, into any contract, or other agreement, with any supplier of motor fuel, (which supplier delivers motor fuel directly or indirectly for redelivery or consumption) to deliver or cause to be delivered, motor fuel, to service stations or bulk consumers serviced by said Standard Cycle and Auto Supply Company during the months of April, May and June, 1943, for that period in which the above restrictions are in effect.

(d) This order shall take effect upon issuance and shall expire November 30, 1943.

Issued this 16th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-11427; Filed, July 16, 1943;
10:12 a. m.]

